



YORKSHIRE
STAR CHAMBER PROCEEDINGS.

THE YORKSHIRE
Archæological Society.

FOUNDED 1863. INCORPORATED 1893.

RECORD SERIES.

VOL. XLI.

FOR THE YEAR 1908.

YORKSHIRE
STAR CHAMBER PROCEEDINGS

EDITED BY

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PRINTED FOR THE SOCIETY,

1909.

PRINTED BY
J. WHITEHEAD AND SON, ALFRED STREET, BOAR LANE,
LEEDS.

INTRODUCTION.

THE Court of the Star Chamber^a was established by an Act of Henry VII, c. 1 (1487), instituted “Pro Camera Stellata,” or, as it is called in these pages (No. LXV), the “Court of Sterryd Chambre.” The reason of the Act is declared by the King in the proemium:—Howe by onlawfull mayntenaunces, gevyng of lyveres, signes, and tokyns, and reteyndres, by endentur, promysse, othes, writyng, or otherwise, embraciaries of his subgettes, ontrue demeanynges of shrevys in makyng of panelles and other ontrewe retournes, by takyng of money by jurries, by greate riotts and unlawfull assemblez, the polacy and good rule of this realme is almost subdued, and for the nune punyshement of this inconvenience and by occasion of the premysies nothyng or lityll may be founde by enquerry, wherby the lawes of the lond in execucion may take litell effecte, to the encres of murdres, roberies, perjuries, and unsuerties of all men lyvyng and losses of ther londes and goodes, to the greate displeasure of allmyghty God.

For the purpose of punishing these offences a court was instituted, consisting of the Chancellor and the Treasurer of England, the Keeper of the King’s Privy Seal, or two of them, with the addition of a bishop and a temporal Lord of the King’s Council, and the two Chief Justices of the King’s Bench and Common Pleas, or two other justices in their absence. This court had power, upon a bill or information put to the Chancellor against any persons for any of the offences named above, to call such persons before the court by writ or privy seal, and to punish them according to the statutes

^a A most excellent account of the history and constitution of the Court of the Star Chamber will be found in the introduction to one of the publications of the Selden Society, Vol. xvi, “Select Cases on the Star Chamber, A.D. 1477–1509,” edited by Mr. J. S. Leadam.

made thereof, "in like manner and form as they should and ought to be punished if they were thereof convict after the due order of the law."

The object for which this court was instituted was to afford poor people protection against local tyrants. It was for the same reason that, nearly a couple of centuries later, Louis XIV instituted the *Grands-Jours*, of which Fléchier has left such an amusing and vivid description.

A certain number of cases in this volume show the need there was for a court of this kind. For instance, in No. ix the plaintiffs were husbandmen, contending with Sir Robert Constable, of Flamborough, a powerful and turbulent knight, who a few years later suffered for his share in the Pilgrimage of Grace; in No. lvi the complainant was a poor widow, whose husband had been murdered, and the defendant, at whose instigation the murder was alleged to have been committed, was a prebendary of York; in No. lxii the defendant, who seems to have been very violent, tried to put the complainant in the stocks, and threatened that if he caught her he would place her in the thew, a peculiar kind of pillory reserved for women, and have her drawn about the town, and pelted with rotten eggs; or, as in No. li, where the plaintiff, a widow, lived in Norfolk, and her opponent, Sir William Fairfax, of Steeton, was a person of importance in Yorkshire, and of which, at a later period, he became sheriff, where she had few friends. Certain other cases could also be cited, where it can be shown that the Court of Star Chamber was doing useful work; but there are a large number of cases in which it is very difficult to understand why the court should have jurisdiction. Some of the cases are merely questions of title (Nos. viii, xv, xviii, xxxiv, etc.), and often the positions of the parties was such as to preclude any idea of the need of a protection other than was afforded by the common law of the realm. Plaintiffs like Sir Thomas Curwen, Sir Arthur Darcy, Sir John Dawnay, Sir Edward Gower, Sir Richard Tempest (Nos. xxxviii, xxxix, lx, lxxxii), and many others can have stood in need of no special

help. The defendants, in their reply, constantly pray to be remitted to the common law, where the matters in dispute should be properly determined (Nos. XLIX, LI, LV, LXX, LXXI), and had more answers been preserved no doubt the number of instances could have been much increased.^a

The careless way in which the records of this court have been kept very much impair their value. In the great majority of cases only the bill of complaint has been preserved. Out of the 78 cases there are five (Nos. XXVII, XL, XLIV, LXXI, LXXIII) where only the answer occurs, three only the replication or plaintiff's answer to the defendant's plea (Nos. XXXI, XXXVIII, LXXXII), two only the interrogatories (Nos. XXXVI, LXXVIII), and one where only the commission, which was issued after hearing the case (No. XXV). In no case is there a judgment, and only twice (Nos. XXI, LXXX) is there the necessary information on which judgment could have been given.

In the great majority of cases the question at issue was one of title to land, or some object savouring of realty as a chantry (Nos. XX, XXXII), the assertion of which was often accompanied by violence and riots, which seems to have given this court jurisdiction. Cases of very various kinds were also tried—murder (Nos. XI, XXI, XLV, LVI), conspiracy or maintenance (No. VII), title to the goods of an alleged suicide (Nos. X, XII), and free election to municipal office at Beverley (No. XVI) were amongst the questions decided by this court. One case (No. XXIII) seems to have strayed from amongst the State Papers. It is a return by the abbot of Byland to a commission from the King to inquire into the facts connected with the deposition of Edward Kirkby, the penultimate abbot of Rievaulx.

^a There was another court, the Council of the North, with jurisdiction very similar to that of the Star Chamber, which was sitting during the period when the cases here printed were being tried (No. xxxix). It was presided over, part of the time, by the king's natural son, Henry Fitzroy, duke of Richmond and Somerset. The council was composed of Brian Higdon, dean of York, Sir William Parr, Sir William Bulmer, Sir Godfrey Foljambe, Sir Thomas Tempest, Thomas Dalby, dean of Richmond, and William Taite, canon of York.

The evidence proves the constancy and courage of the monks there, as, notwithstanding the pressure brought to bear upon them, only seven out of the twenty-three inmates could be persuaded to allow that the abbot had been lawfully deposed ; and even this concession was only grudgingly made, as all they could be got to admit was that they were content to proceed to a new election. These proceedings, though some three years earlier than the date of the dissolution of the lesser monasteries, give a very striking picture of the methods by which the surrender of the religious houses must have been accomplished at that period. It is pleasant to know that Abbot Kirkby, contrary to what has been asserted, was not put to death for his complicity in the Pilgrimage of Grace, but was alive some years later.^a

The language employed in these pleadings is very exuberant, as though the writers had not yet got entire control of the instrument they were using. Cavendish's *Life of Wolsey* is an eminent example of this style. Many of the stories are told with great art. No. LVI is a good specimen of dramatic narrative, and it is by no means the only instance. In Nos. XXX and LXXVII the exact words used by the actors have been preserved, and thus the vividness of the story is much increased.

WILLIAM BROWN.

SOWERBY, THIRSK,

November, 1909.

^a For a fuller account of the facts relating to Abbot Kirkby, see the *Rievaulx Chartulary* (Surtees Society, lxxxiii), pp. ciii–cvii.

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ADDENDA ET CORRIGENDA.

Page 14. Note *b*, line 2. For Sir Thomas *read* Sir Francis.

„ 36. Line 7. After regne *insert* April 25, 1535.

„ 36. Line 6 from bottom. For score *read* soore.

„ 46. Line 5. Jan. 4, 1519–20. Commission to James Burrow to collect the effects of Agnes Burrowe, late of York, widow, deceased (*City Act Book*).

„ 62. Line 7. After reigne *insert* 1534.

„ 64. Line 4. The bond from William, prior of Gysburne and the convent of the same to Christopher Konyers, of Pynchynthorpe, esq., in the sum of 100*li.*, dated Nov. 14, 10 Henry VIII (1514), is in the possession of Mr. R. H. Simpson, of Great Ayton. “The condicion of this obligation ys this, that yf the aboue bounden prior and couent of the same stonde to performe and kepe th’award, ordynaunce, and jugement of Sir Robert Brudenell, knyght, oon of the kynges justices, and Antony Fitherbert [*sic*], oon of the kynges serjeantes at the lawe, arbytrours indifferently namyd and chosen betwyn the forsaide prior and couent of th’on partye and the abouenamyd Cristofer on th’other partye, to awarde, ordene, and deme of, and the right, tytyll, and possession of all suche land, medoue, and pasture, hegthe, more, grond, rente, and seruices, as be in variance betwyn the saide partyes in Pynchynthorpe aforesaide, and in Hoton in the saide countye of York; and of and vpon all other variance, trespasses, debates, and demandez, betwyn the saide partyes afore the date of these presentes, moved or had, so that the same awarde, ordynaunce and jugement of the said arbytrours of and vpon the premisses be made and yevyn afore the feaste of Easter next commyng, that than this obligation be voyd and of noen effecte, or elles to stande in full strenght and vertu.

William priour of Gisburn.

Cristofer Conyers.”

Seal, a long-legged bird, with a sun in the upper part.

„ 66. The inquisition, preparatory to granting the licence in mortmain for the conveyance of the manor of Hutton, was taken in 1335 (*Guisborough Chart.*, i, 168).

„ 110. Line 9 from bottom. For offyeers *read* offycers,

Page 112. Line 6 from bottom. There is an error here. The wife of Walter Calverley was called Isabel, not Margaret. See note, p. 107, and *Yorkshire Fines* (Tudor), i, 48).

„ 122. Line 14. For ameyntenor *read* a meynntenor.

„ 126, note *a*. For Woolhouse *read* Woollhouse. This place was so called in 1575. Jan. 23, 1561-2. James Foxe, of Thorpe, gent., considering the vncerteyntie of this transitorie lyf, trustinge stedfastlie in the great mercie of all myghtie God, preparinge for the healthe of my soull and for the orderinge of my goodes, ordayneth and makethe this my last will and testament in maner and forme followinge. Fyrst and before althinges I gyve and bequithe my soull to God almyghtie, my creator, and to his sone Jesu Christe, my redemer, and to the Blessed Virgin, our Ladie Sanct Marie, and to all the celestiaall companye of heaven, and my bodie to be buried in the queare of the parishe church of Ampleforth besides my laite wyf Cicilie Foxe, whose soul God pardon, yf God call me to his mercie at Thorpe; and yf God call me to his mercie at my other place, then my bodie to be buried in the parishe church or queare of suche parishe wheare it shall please Almightye God to call me to his mercie. For my mortuarie xs. accordinge to the lawes and statutes therof laitye maid and ordayned. Towardes the reparacions of the parishe church of Kilburn xiijs. iiij*d*. To the poore people inhabytinge the townes hereafter followinge vij*li*.; to the poore people in Kilburne xs., in Cookwold xs., and Newbroughe xxs., in Wasse vs., in Yearsley vjs. viij*d*., in Ampleforthe xs., in Thirske xls., in Ouston xiijs. iiij*d*., in Helmesle xxxs., in Gillinge vs.; and a dyner to be provided for all suche gentilmen and other honest persones as dothe take the paynes to be at my buriall and other obsequies done for me. To my sone Thomas Foxe my holle tytle and terme of yeares in my fermholde of Thorpe, and the fermholde whiche I laitye did taik of Sir William Pykeringe knight in Thorpe beforesaid; a certayne medow called Nettlebed, parcell of the said fermhold of Thorpe, onlie excepted, whiche medowe I gyve to my sone John for the terme of seaven yeares next after my deathe towardes his exhibicion at London, without any rent paying for the same, over and besides one annuytie of x*li*., whiche I have gyven to the said John duringe his lyf, goyng out of my landes and tenementes in Stanfrey and Seddell, whiche deede I did send to London to my saide sone by George Hagge, my servant. Also one soreld nage which I bought of my sone Fenton, and my geldynge called Gray Fenton; also my saddell and one other saddell for a servant, one gowne faced withe blacke connye, one other gowne faced withe foxe, one other gowne faced withe damaske, a slevelese

coat of blacke satten, a blacke taffitey dublet, and my best rydyng cote of blake. To Anthony Witham, my godsone, Christoffer Davell, yonge Thomas Fenton, one yonge fillie foile [apiece]. To Nicholas Fox my yonge bay mare. To eche one of my fyve doughters two old angels, to thintent that eche one of them make them a gold ringe of the same to thintent they may have me in remembrance. To every one of the household servantes at Thorpe one quarter waige over and besides ther holle yeares wage. To my sone Thomas Foxe one nest of silver goblettes, parcell gilt, withe a cover, one silver salte withe a cover, xij silver spones of the beste, a brasen mortar, a pestell, a seastron of lead for pylinge of beif, a great chist wherin myne apparell dothe lye, a garnes [*sic*] of London vessell beyng in my studie, and my gold ringe, and the said Thomas to have them as heire lomes, and my said sone Thomas to leave them as heerelomes to his sone Nicholes Foxe, and that my said sone Thomas charge his son Nicholas to leave the same goodes as heirelomes to his sone and heire. And I charge my said sone Thomas of my blessynge, and as he will answer at the last daye of the great judgement, that he do this and also charge his sone Nicholes to do the same, bycause I receyved parte of the said goodes of my father, whose soull God pardon, withe like charge. To my doughter Fenton foure kye and thre calves and xx ewes and xx lambes. To my servant Henry Key one gowne of marble, faced withe blacke buffe. Sone Thomas Foxe my full and holle executor. Testes [*sic*] Henry Key. Proved Oct. 26, 1562, by the executor (*Reg. Test.*, xvii, 127). The testator's son Thomas married Frances, daughter of Robert Meynell, of Hawnby, serjeant-at-law.

YORKSHIRE

STAR CHAMBER PROCEEDINGS.

No. I.

[Bad state.]

To the Kyng our souerayn lord.
Sheweth un to your Hyghnes lawfull subiett John Johnson of Beuerley within ye Counte of York in how that on ye Fryday next after mydsomer day last one Rob't Cook clerk, Rog' Kelk yoman, Thomas Atkynson barber, & John Kyrkham accompanyd with other malicious & evill disposed persons to ye nombre of xvj [?] armid w^t bills Forkes swordes clubstaffes, riotusly assembled togeder, came to ye house of yor said orator aboute iiij of ye clok at efter none & y'r by force & myght, contrary to ye law and good reason take out of ye house of ye said John Johnson one Aves Toft, modalaw to yo'r said suppliaunt, with at y't tyme beyng y'r with at ye said house and hyme morderd and slayne and other unknowen ye same toun wherefor he mekely beseches yo'r most graciouse highnes to gr a privey seale directed [etc.].

[Appended are:]

(1) The answer of John Gasses, chapleyn.

Att the tyme of the seid Riot supposid he was Receyued in seruice with oon Aves Tofte, and vsually waytyd vpon oon Sir Robert Cook by hir comandement, and at the seid tyme the seid John Johnson hadd within his house the said Aves Toft' and certen goudes and stuffe of hers, and because she was in grett age and nott lyk long to endure, the seid John Johnson intendyng to haue the sole Rule and disposicion of hir seid goudes wold not suffer the seid Aves to departe to hir awn house, but kept hir with hym agayn' hir will, wher vpon the seid Aves sent vnto the seid Sir Robert Cooke, whome she had named to haue been oon of hir executors, and desyred hym to come and intret the seid John Johnson to suffer hir to depert, which accordingly dyd [*sic*], and the seid John Gasses at his desir' and by his Comandement awaytid vpon hym thyder according as he vsually dyde, and in peasibill maner withouten eny maner of wapen [etc.].

(2) The answer of John Kyrkham,

Who says that at the tyme of the seid Riot supposid it fortunyd hym to be walkyng about hys besynes in the opyn strete of Beuerley, nere unto the house of the seid John Johnson; within which house he herd grett noys, and in peassibill maner entred into the seid house, where he found about 7 or 8 persons of the honest persons of the town, intretyng the seid John Johnson to haue sufferd one Aves Toft' to haue depertid to hir awn house, without that [he] is guilty of eny riotous demeanyr [etc.].

(3) The answer of Thomas Atkynson,

Who says that the seid Aves was moder unto the seid wiff of the seid John Johnson, and in grett age, and in such impotency that she myght nott lyve, how beit be cause that oon Alison Freyston, suster to the seid Aves, was dede and lying unberred within the house of the seid John Johnson, the seid Aves the seid Fryday comprised in the seid bill of compleynt caused two women to bere hir to the seid house, and after that she had shewed hir mynd enence the beriall of hir seid suster, she causid the seid two women hir seruantes to bere hir homeward, how be it the seid John Johnson, seyng hir in so gret age that she couth nott lang indur, and knowing that she hadd maid hir executors oon Sir Robert Wodd and the seid Sir Robert Cooke and the seid Thomas Atkynson, and intendyng that they shuld haue the rule and disposicion of hir goudes, he, to thentent to roule hir with force and myght ageyn the will of the seid Aves caused the seid Aves to be borne ageyn in to his house, where with the seid Aves was sore movyd, and by his cruell dealyng almost medd, insomuch that she kast frome hir hir kerchyffes and keyes, which keyes the seid John hastily toke upe, and went unto the house of the seid Aves, and there toke the seid cofer and other goudes specified in the seid bill of complaynt, and all other goudes of hers that he might cary, and brought them home with hym to his awn house, and then the seid Aves sent unto the seid Sir Robet Wood and Sir Robet Cooke and other hir frendes to come and intret the seid John Johnson to delyuer hir and hir seid goudes, [who] withouten eny wapen [did] come unto the seid house of the seid John Johnson, to thentent to intrete for the delyueraunce of the seid Aves. And within the seid house there were assemelid dyuers of the frendes of the seid Aves to the nombre of 5 or 6 p'sons and nott above, which com att lyk desyre of the seid Aves, and so it was that the seid Thomas Atkynson and all other hir frendes intretid the seid John to suffer the seid Aves to

deperte at hir liberte with hir goudes, the which the seid John utterly refussid to do, and then they movyd the seid Aves to haue byddyn there still with the seid John and with hir doughter his wiff, which she utterly refusid, and desyred them by the way of charite to se hir peasibilly conveyd unto hir awn house. And there upon the seid two women hir seruantes which brought hir theder in peasibill maner conveyd and bare hir to hir awn house, without that the seid Thomas is gilty [etc.].

(4) The answer of Robert Cooke, clerk.

Much damaged; an almost verbatim copy of (3).

(5) The examination of John Penrose of Beverley, taillor, taken 26 June in the tenth year (1485).

He saith that upon a Friday befor' mydsomer day last past was a 12 moneth, he with John Walker, shomaker of the same town, aboute 2 of the klok at after none went to an alehouse in Beverley forgenst the house of John Johnson, eyther of thaim with a parr of gloves in thair handes to byd' folkes to a bryde that shold be on the Sondag followyng, and as they wer ther thei wer war of the Chaunceler of Beverley callid Sir Robert Cooke, Sir John Gasses, prestes, Roger Kelk thonger, Thomas Atkynson and John Kirkham, accompanied with other moo to the numbere of 16, with billes, forkes and swordys, albe it he said not yat the said Cha'celer had any wepon, entr' into the house of the said John Johnson, wherupon there was greate noyse within the house and also in the strete, in so much as it was said in the strete that the said persons had murdred the forsaid John Johnson in his awn house, and sone upo' that he herd the said Chaunceler say theis woordes, Take this wooman away, haue hir hens. Wherupon the moderylaw of the said John Johnson was takyn up and so born' by some of yat cumpanye from yat hous untill hir awn house wher she dwelt in the same town; and oon Lawrence Patryk, a smith, come out of ye same John Johnsons house with the said cumpanye, and brought with him a small coferet under his arme and bar it hens, where this deponent knowith not. He herd some of yat cumpanye say the same time, Send out John Johnson, and we shall send him other to hell or to hevyn.

John Walker, shomaker of Beverley, of thage of 46 yer',

Deposith that he was present with John Penrose at the house of oon William Slatter, which is, as he saith, a stonys cast fro the house of John Johnson, and he saw the company of 16 persons, as the former witnes hath deposid.

17 October.

Alisawnder Bossale of Beverley, dyer, of thage of 38 yer',

Deposith that he was not at the begynning of any affray supposid bi John Johnson, albe it he come to the hous of the said John Johnson aboute 4 of the klok at after none on a Friday after Midsomerday was a 12 moneth, where he fand Sir Robert Cooke, Sir John Gasses, prestis, and a 4 or 5 persons moo, with which persons he saw noomaner of wepon, nether dagger nether clubb, but oon of thaim had a sword, a nother person was a tiler and [had?] a di'staff that was a mesor for his craft. Nether this deponent herd any myswordes betwix any persons ther, but finally the said Sir Robert Cooke and other with him, had oute oon Avys of the house, which was an old seklye woman, and went with thaim with hir good wyll. And that this deponent knouith for he herd when oon Roger Kelke seyde to hir this: Moder Toft, her ye be with your doughter and wele at ease, and if ye will abyde her' ye shall so doo. And she answered agen: I will not abide her', I will goo home. And so she was brought with hir goode will to her awn hous. Treu it is that John Johnson was not contentyd with hir deperting, and 2 cofers wer' ther', that John Johnson had fecchid oute of the said Avys hous befor', and oon of those cofers was had home with the said Avys agen he saw also divers persons resorte to the door of John Johnsons house the same time, which come to her' and se what was said and doon, and som of thaim had forkes, som pykes and other wepons. What thair entent was this deponent can not tell.

Will'm Slatter of Beverley, comyn sergeaunt ther', and of thage of 47 yer',

Deposith that [on the said day] there was a woman that was paste to God lay in ber' in the hous of John Johnson at Beverley, which was sister to oon Avys Tofte of the same town, wydow, and aboute a 11 of the klok of the same day the said Avice was brought by 2 servantes sitting in a cheir to the house of the said Johnson. And this deponent was in the hous when she was brought in. The said John Johnson welcomyd hir and said, Sethans she was there she shold bide there, and goo nomore home. Which ansuered that she wold go home agen at hir pleasure, and this betwix thaim 2, upon that was ther divers sharpe wordes spokyn. And this deponent went home to his house, which is forgenst the hous of the said Johnson. And after dyner of the same day he was ware of Johnson, where he come with 2 of his servantes, every of thaim having a cofer in his armys, which

they brought from the hous of the said Avice; and within awhile come Sir Robert Cooke, Sir John Gasses, Roger Kelke, a 7 persons in all, nooman having wepon, save oon, which had a sworde as he was wont to go with, and a tiler had his mēsur, and all thies went to Johnsons hous. What was ther said or doon at thair first entr' this deponent can not tell. How be it within awhile ther' come oon Griffith Enn' forth of Johnsons hous and said thies woordys: Fye on you, sirs, will ye suffre this man to be murdred in his awn hous, which this deponent herd, and therupon went into the hous of Johnson, and speke with Roger Kelke, whain nether any other person he fand misdemanysd nether to do any harme. He herd, as he saith, Roger Kelke say ther' that Johnson shold nether have harme in his bodye nether in his godes. And after that the same Roger askyd the said Avice whether she wold abide there or goo home to hir awn hous. She said she wold go home to hir hous. The same Roger sayyng to hir agen: the wiff of this hous is your doughter, and she right well cherish' you, and it is most metlye for you to tarye her' tho' to go, who' if ye will abide her' ther' shall nooman let you. And evermor' she ansuered that she wold go home, and so was she brought home to hir awn house agen, and oon of hir cofer' aforseid with hir; that othir Johnson had conveyd into his chambre. And divers persons come to the door, which come not with Sir Robert Cooke, nor of [his] knoulege, nether by any of thaim any thing was spokyn or do[on] riottouslie. Mor' he can not say. (*Star Chamber Proceedings*, Henry VII, No. 8.)

No. II.

To the kyng our liege lord and the lordes of his most noble counsell.

Humbly shewith unto yowre highnes and the lordes of youre most noble Counsell Emmot Kendale^a [that John Swale of South] Stonley^b in the countie of York squier William Kendall of Merkyngton' in the same Countie Robert Strangland of the same towne in the same Countie laborer, seruantz to the said John Swale, Robert underwode in the same Countie yoman, John Cure of the same in the same Countie yoman

^a Probably the widow of John Kendale, of Markington, near Ripon. His will was proved on June 17, 1488, and hers on April 25, 1504 (*Ripon Chapter Acts* (Surtees Soc., lxiv), pp. 228, 266, 292).

^b Stainley.

of the moneth of March last passed, at the son risyng of the same day, riotusly arrayed in manner defence with many other riotuse persons to them accompanyed to the nombre of xl persons and maner ayenst youre peas and lawes come to the dwellyng place of your seid Oratrice at Marcyngton aforeseid and in riotouse maner entred and put iij childer and seruantz of youre seid Oratrice in jupardye of their liffes, sayng unto the seid iij childer wold put oute all such catall as were there within the seid place els they wold bete them and put them in jupardie of their liffes of their liffes, they losed and put oute some of the seid catall and the seid misdoers loused and put oute the remanent And there and then drove away viij draught Oxen price viij li., vj Stottes price iiij li., vj kye calves price iiij li. xiiij s. iiij d., iij horses price iij li., iij mares goodes and catalls of youre seid Oratrice toke and drove away, to the utter undoyng of youre seid Oratrice. And the same catall yeit withouldeth kepith and occupieth owen use yeit dayly threteth and manasseth to take all other goodes of youre Oratrice that she hath in the seid towen, and charges her seruantz to pay her no ferme to her utter undoyng, withoute youre goode grace and lordships be shewid to her in this behalue. Wherfore pleaseth youre good grace and lordships, the premisses considered, to graunt youre gracious lettres of priue seall to be direct to the seid misdoers, commaundyng them by the same to appere before youre highnes and the lordes of youre most noble counsell at a certen day upon a certen peyn as shalbe lymyted, and the same to answeere to the premisses and ther upon as law and custome requireth in that behalue, this at the reuerence of god and in the wey of charite and youre seid Oratrice

Two letters issued the third day of July for John Swale to appear at Westminster.

This is the Answer of John Henry Satheron Robert Strangland and John Man' to the bill of compleynt of Emmote Kendale.

First, the seid John Swale sayth as to ony breking of the kinges peace riotte or othir thinges agayns hym in the said bill surmysed, he saith he is notte gilty therof, ne of noo partie therof, and the said Henry Sotheron Robert Strangland & John Man' sayen as to ony Riotte or misbehauyng or thinges surmised agayns theym Ageyn the kinges peace they bee thereof not gilty. And as to the entre in to the house and taking of the bestes comprised in the said byll of compleynt, they seyn by protestacon that the said bestys

been of noo suche value as the said Emmote in hir said bill hath surmysed. For their declaracion & trowth they sayen that oon John Kendale was seased of diuers lands & tenements in Markington beforesaid, parcell wherof, the said house of whiche the said Emmote hath complayned, was & is parcell in his demesne as of fee, & so thereof seased had issue the said William Kendale namyd in the said bill of complaynt, & died therof of that estate seased, after whos dethe the said landes & tenement descended to the said William Kendale, as sone & heire of the said John Kendale, by virtue wherof the said William Kendale entred & was seised therof in his demesne as of fee, and so was peasible seased by a longe space, to suche tyme that the said Emmote hym disseased & wold not suffir hym to take the profytes of the said land & tenements. And there upon the said William Kendale desyred the said Henry Sotheron Robert Strangland & John Man' to goo w^t hym in his company, in peasibyll maner according to the lawe, & to see & bere wytnesse that he entred peasible in to the said landes and tenements, and in his said entre lawefully behauyd him by reson of his Right & enheritaunce as the lawe wold & not other wyse, by vertue of the whiche desyr & request the said Henry Sotheron Robert Strangland & John Man' w^t the said William Kendale & othir to the noumbre of othir vj persons & no moo, in single array & in peasible wyse, rode to the said house w^t the said William Kendale, the whiche the said Emmote called hir house, the same day & tyme supposed in hir bill, & in peasible maner ther & thann the said William Kendale by reason of his tytyll aforsaid peasible w^t outyn ony force entred in to the said house, as in to the principall mesuage of the said landes & tenements, and for as muche as the bestes before reharsed in the said byll of complaynt wer thanne in the said house curtelage & closses pertanyng to the same at that tyme, the said William Kendale thenne & ther theym toke, doing hurte & damage in his domeane soills & ground, & theym as a distresse lawefully keepyth to suche tyme he may haue amendes of the said Emmote for the wrongges beforesaid, and the said Henry Robert & John supposyth that the said William Kendale hath all weys been & wyl be redy to delyver the said bestis according to the lawe at ony tyme whenne he shall be lawfully desyred, w^t outyn that the said Henry Robert & John or ony of theym wer arrayed in maner of werr, & w^t outyn that ther wer in their company ony moo persons but vj whiche were in single array & not harneyssed, and w^t outyn that they manasshed or put in jeopardie of lyvis any suche chyldern & seruauntes

of the same Emmote, as she in hir bill hath supposed, and w^t outyn that they entred in to the house of the said Emmote or toke hir bestes in othir maner or othir wyse behauyd theym in that mater thenne as before rehirsed. All whiche maters the said Henry Robert & John Man', & every of theym, is redy to prove as this Court will award. And prayen to be dismissed oute of the same w^t their resonable costes & damages to theym to be adiugged. (*Ibid.*, No. 5.)

No. III. .

To the kyng oure Souereyn Lord.

Shewith and compleyneth unto your highnes your faithfull sugett and true leigeman Thomas Darell^a esquier, that where your said compleynant and other to his use was lawfully seised and peasibly possessed of and in two partes of the maner of Thornton upon the hill^b within your Counte of York in there demeane as of Fee. So it is good and gracious Lord that oon James Greynwodd late of Thrysk in the said Counte Gentilman, William Lawrans late of Raskyll in the same Counte yoman, Richard Emerson late of Thornton in the same Counte yoman, and Thomas Dente late of Thornton in the same Counte yoman, Accompanyd with dyuers other mysdoers and Riotus persons to the number of xli ti or aboue, Arreyd in maner of ware, that is to say, with Jakes, Saletes, Bowes, Arowes, and other defensible vapyns, the xxiiij day of August last past, not dredyng Godd na the punyschment of your lawes, withouten eny color of title, in the said two partes of the said Maner of Thornton Ryotusly and with grett force and myght upon the possession of your said supplyaunt and his cofeffes entrid and theym thereof forcybly expulsid and put out. And the said two partes of the said maner at this day forcybly holdith and occupieth contrary to your lawes and peas. So that your said Orator and his said cofeffees can not atteyn there lawfull possession of the same unles than your said sugett shuld styre a grett number of your leiges and sugettes, the which he dar nott do for your dispeasor, wherefore it will pleas yor highnes the premysses etc. etc. in the xv ne of seynt Hillary next comyng etc.

[Endorsed:] Hilary term 14 Henry VII (1498-9).

^a Son of Sir George Darell, knight, who died in 1466. Thomas Darell died between 1500 and 1502 (*Test. Ebor.*, iv, 172).

^b In the parish of Coxwold.

The Defendants in their answer plead that the matter is determinable at Common Law.

This answer is endorsed with a rough note of its contents, adding "the said James saith yat he was . . . and in possession of the Landes, complayned of long before the supposid in the bill of co'play't. (*Ibid.*, No. 40.)

No. IV.

To the kyng our liege lorde.

Lamentable complayneth and shewith unto yo^r highnesse your true subgettes and dayly Orator George Stanley Esquier, and Dame Alianore his Wiff, late the wiff of Sir Henry Beamont knyght, that where as the same George and Alianore, as in the Ryght of the same Alianore, of long tyme haue byn seased in and of the maner of Thorp in Balne w^t the appurtenances in yo^r Countie of York in ther demesne as of freholde, as the jointure of the same Alianore, to her made by the said Sir Henry, for the which jointure John Dudley, late lorde Dudley and fader to the said Alianore, paied the some of cccc marces, the reuersion therof after her decesse unto oon John Beamont esquier son and heir of the said Sir Henry and to his heires belongyng, which sir Henry and his auncesters have ben peseable seased in and of the seid Maner by the space of cc yeres and more, unto nowe of late that oon sir William Gascoigne, knyght, by his grate power and myght, entendyng to obteigne and get the seid Maner w^tout any title of Ryght, uppon the Vigill of Seint Mare last passed hath caused oon George Oglethorp, on of his owen seruants, and many other w^t hym, to the nombre of xxx^{ti} persones, with force and armes and in riotouse wise, to entre in to the said maner and putt yo^r suppliantes owt of possession therof, And also all ther tenantes and Fermors of the same from their farmholdes in and of the seid Maner and euery parcell therof, And yit kepith it w^t force and woll nat suffre your suppliantes nor their tenantes and fermors of the same to occupie any parcell therof, wheruppon yo^r seid suppliantes the last terme of Ester made a supplicacon to yo^r highnesse of the premishez. And theruppon it pleased your highnesse, of your most habundant grace and for pite, to commande your graciouz letters of priue Seall to be direct to the seid Sir William, the which were truly deliuered unto hym, commandyng hym by the same to appere afore your highnesse and the lordes of your most honorable Councell at the xv^{me} of the holy Trinite last passed, and to bryng w^t hym such evidences as he hadde

concernyng the same Maner, and to avoied his unlawfull possession in and of the seid Maner and euery parcell therof, incontinent after the deliuere of the same your gracious letters of priue Seall, which William sith the deliuere of the same letters to hym made and afore the seid xv^{me} of Trinite, for enforcyng of his seid feyned title to the same maner, hath by subtile craft and Covyn betwixt hym and the seid George Oglethrop brought a formedon^a uppon a feyned gyffte in taill supposed to be made to his auncestrey of the said Maner a yenst the said George Oglethrop, where neyther the same George nor eny of his auncestrez had evir eny title or lawfull possession in the seid Maner, or any parcel therof, other then by his unlawfull entre in the same in form aboueseid, the which writt was retourned bfore your Justicez of your Coem' Place^b the first day of this Trinitie terme, and bfore the tyme of apparance of the same Sir William afore yo^r highnesse, at which day the seid George Oglethrop dyd appere in his propre person, and by covyn and Craft betwixt hym and the seid sir William dyd confesse afore your said Justices the said accion of the seid sir William and his title to the seid Maner to be true after the purport of his seid writt, wher as in assise of nouell dissin arrayned afore the Justices of your noble progenitor kyng Edward the iij^{de} at assisez at York, wherin the seid pretensyd and feyned gyfft in tail was pleded, it was fownde by the verdict of xij true Gentilmen and yemen of the same assise that the seid gyft in tail was feyned and untrue and no such gyffte in taill therof to be made, as by the record of the same assise more playnly apperith. It is so nowe gracious lorde that the seid sir William, entendyng the utter empouerissheng of your suppliantes, hath desired afore your seid Justices to have jugement to be gevyn unto hym ayenst the seid George Oglethrop in his seid writt of formedon and to be put in possession therof by his subtile crafty ymagyned and dampnable covyn to the evyll and unseen exsample ever afore this tyme in this your Realme of Englund and expressly a yenst your lawes and good conscience, wherfor it wolde please your highnesse of your most habundant grace, the premisses tenderly to considre, to commande eftsones the seid sir William to appere afore the lordes of your most honorable Councell with such evidences as he hath concernyng the same Maner, and your suppliants shall do the same, ther to abyde such direcoen in the premishez as shalbe by them thought

^a Writ of formedon, *breve de forma donationis*, was a writ that lay for him that had right to any lands or tenements by virtue of any entail growing from the Statute Dedonis.

^b That is Common Pleas.

resonable and accordyng to your lawes, and also to commande the seid sir William to procede no forther in the seid accion nor aske no jugement therof, unto tyme that it be otherwise ordred by your most discrete Counsell, and your suppliantes shall euur pray to god for the preservation of your most noble and Roiall estate.

[Endorsed:] This ij^{de} bill was put in xx^{mo} Junij anno xiiij^o (1499).

The first bill, which is endorsed Trinity Term anno xiiij, is docketed with the order for writt of privy seal to issue to Sir William Gascoign, knight, to relinquish possession as above, by command of the Bishop of Durham, keeper, etc.

Appended is the said privy seal, dated at the Tower of London, 5 May.

This is the aunswere of William Gascoigne knyght to the bill of compleynt [of] George Stanley Esquyer and dame Elianour his wif.

He seith that the bill is uncertain and insufficient to be answerde unto, And the mater therin comprised appereth clerely decernable at the comon law, and that as to the entre in to the maner of Thorp in Balne and all the force [etc.] he is not gilty, how be it he seith that the seid maner of Thorp in Balne is his righfull and lawfull enheritance as he is redy to prove by his evidence which he hath sent up by John Watkynson his attorney. (*Ibid.*, No. 37.)

No. V.

To the kyng our souereign lord.

Pytously complaynyng sheweth & complayneth unto yor highnes your pour subiects Bryan Middelton, That where in the vth yere (1491-2) of yor mooste gracyous Reign your Commyssion ordeyned that the Right honorable Henry, therle of Northumberland, Ser Thomas Lovell knyght, Tresserer of yor most honorable house & other yor Commyssyoners all maner of ryottes, routtes, unlawfull assemblies, extorcyons, wronges, oppressyons, with dyuers & many other articles, as in the seide letters of Commysson more playnly doth appere within the Counte of the Cyte of York, as yn the hole Counte of York, the whiche Commyssyoners afforesaid by vertue of their Commyssyons made ? *Gillow*^a & Sr

^a In 1514 Paul Gillour or Gillowe and John Norman were sheriffs of York,

John Norman' then beyng Shreffes of the seid Cyte of Yorke aforeseid, to Sommen knyghtes Squyers & other to apere afore theme of Yorke, at whiche day among other yor seide Orator was Impanelled & retourned by the same Shreffes and there appered, and then & there with Ser Thomas Fairfax knyght other, to the nomber of xv persons, yor seide Orator was called & sworn to enquire & present all maner of Ryottes extorcyons oppressions & other Iniures don & commyt forseide Counte of the Cite of Yorke, accordyng to whiche othe & of ther Concyens, The seide Sr Thomas Fairfax knyght your Orator presentyd that one Richard Cromoke otherwise called bale of Pouleton had don & commytted dyuers & many extorcyons & oppressions raison wherof & for by cause yor seid Orator & his felowys had don & presentyd ayenste the seid Richard Cromoke otherwise called Richard Wryght as ys aforeseid Wryght syth the seid presenment & endytment hath with his seruantes many seuerall tymes assauted & sought this seide Orator to thentent to bete hym of murder also hath wagyd & hyred Guy Willysthorpe & many other sodyers of Barwyke to bett & slee yor seid Orator, insomoch that the xx^{ti} of June last past, one Thomas Nelson, seruant to the forseid Richard Wryght, & by his Commaundement, John Nelson, Rauff Nelson, & S^r Thomas Wayte pryst, with other to the nomber of xx persons as yet to yor Orator unknowan, seruantes to the forseid Guy Willisthorp & by his Commaundement, at a place called Tokwith More within the Counte of York of your Cite aforeseid, riotusly assembled with force of armes, that ys to sey, bylles, bowys, swordes, & arous defensyble, ley in agayte of yor seid Orator, and then & there agayn yor seid Orator made assaute & hym bett sore, wounded, mahymyd, & him wolde have slayn, yff rescu of persons unknowen had not commyn the soner. And the seid Guy Willisthorp & Richard Wryght, nott yett satisfyed in their malycyouse mynde with the bettyng & mayyhymyng of yor seid Orator hourly threttes & lyeth in a wayte to & slee yor seid Orator. So that yor seid Orator do not occupy his owne enherytaunce whiche lyeth w^{ti}n the & offices of the seide Richard Cromoke to hys utter undoyng iff remeady to hym by your grace be nott provyded. In consyderation wherof [etc.].

Endorsed with an order for the issue of writs of privy seal directing the defendants to appear at Westminster in the quinzaine of Easter next, 7 Feb. R. W. Lee.

Appended are :

(1) The answer of Thomas Nelson, in which he saith that the sade Brian Middilton & Philip Middelton^a hys broder with sevyn other persons with theym, accompaned with bowes, Jaflyns, Swords, & other defensible Wapyns, made assaut and affray upon the sade John Nelson, the sade twenty day of Jun att Tokwith for sade, this sade John Nelson then beyng in Godes peace and your Sufferaign lord, and occupied in the besynes of hys Maisters, Sir Antony Ughtred knyght, Capteyn of Berwyk, & hym intended to haue killed & mured. And the sade Thomas Nelson & Rauf Nelson, beyng in the sight of the sade Assaute & affraie, came to haue appeased the same & releaved ther sade Broder without hurte, from the sade Misdowers Accordyng to the law, and yf the sade Brian then had eny hurte itt was upon his owne assaute and in the sade Thomas Nelson defence without that that the sade Richard Crombok, otherwise called Ric' Wright, was Indited of eny extorcons [etc.].

(2) The replication of Brian Middleton and

(3) The rejoinder of Thomas Nelson, each reasserting what they have previously said. (*Ibid.*, No. 55.)

No. VI.

To the kyng oure souereign lord.

Shewith unto yor highnesse yor Feathfull subgett and trewe liegman Robert Wilson of Newmalton in the Countie of York, sadeler, that wher yor Godes peas & yors souereign lord within his dwellyng housse at Newmalton foreseid, sitting at his soper, the xx^{ti} day of May laste paste, on Andrew Brayn & Thomas Tyndal[e] con with other dyuers houssold seruantes to Sir Rauff Bygott knyght, to yor seid subgett unknowyng, in the moste riottous wise w^t swordes, Bokelers, billes, glaves comaundement & mayntenance of the seid sir Rauffe Bigott, came with grete force & Riotte & entred the seid housse of yo^r seid suppliant with there swerdes nte eny cause or occasion by hym geven, & then & there hym strake, bette sore, woundet & maymed in suche wisse as they lefte hym there Robert Allen, Henry Percy, Richard Poleson, Thomas Golde-

^a Perhaps the same person as Philip Middilton, of Doncastre, who by his will, dated March 18, 1528-9, desired to be buried in the chancel of St. George's, Doncastre, Res. to Emma his wife. Witnesses, Richard Marshall, the mayor, Richard Hall, and Ralph Levens. Proved by the relict, Oct. 16, 1529 (*Reg. Test.*, ix, 461.)

smyth, Laurence Taillor, Thomas Balland, & Richard Baker of Newmalton foreseid confortyng abettyng and mantenyng to the uttermoste of there powers. And also the seid Ser Rauffe Bigott,^a for the confortyng & mantenyng of his seid ser in there riottous & heynousse demenor aforeseid, came personally on the next day after unto Newemalton foreseid, bryngyng with hym all the seid sons & in the Towne there, gave thankes & prayses to all suche other there dwellyng as gave aide & fauor unto the seid Riottors, seyng that anteyn & defend theym in the premisseyz & there upon spend a M. marces. And ouer this the seid Sir Rauff, not satisfied with his cruell & heynosse horesday next after, sent John Bigott,^b his son & heire, to Newmalton foreseid, & with hym all the seid Riottors facyng & braycyng. And yet ser Rauffe, not satisfied, on Saterdag the next market day after, sent all his houshold seruantes, tenantes, & as many other as wolde doo for hym, to the nombre of a c persones, defencible Arraied in maner of warre & like to a newe insurrecon, & there in riottos wisse with swerdes & bokelers, bowes & arowes, billes & glaves, walked up & don the towne, facyng & braycyng with great wordes of manaces, for fere whereof the people the rather brake up the market to the subuercion of all good rule & ordir there & grete murmur in all the Countre there aboutes. Pleas it therfor yor highnes, the premisseyz considering, to graunt yor gracios letters of priuey Seale to be directed to the seid Ryottus persones, comandyng theym by the same to appere [etc. etc.].

[Endorsed:] Hilary term in the xvth year (1499-1500).

Robertus Wylson de Newmalton contra Radulphum Bygod & alios.

Sir Rauf Bigod knight, sworn and examyned of and upon thos articles within wreten toching him and his dede, deposith and saith that trew it is that Robert Wilson the complainant was betyn and hurt in the Towne of Newmalton by Andrew Brayn and Thomas Tyndale, but this deponent saith upon his oth that he was nether weting, willing, nether consenting, ne in any wis priuye therunto, but was in his mynd right sorye and also verye discontent with thaim that dyd the dede, insomich that he sent unto Sir William Evers, which was not content with the said dede, prayyng him that a day and plac might be apointed wher and when the said trespas might

^a Sir Ralph Bigod, of Mulgrave, married Margaret, daughter of Sir Robert Constable, of Flamborough.

^b Sir John Bigod, who died in his father's lifetime, was father of Sir Thomas, who was executed for his share in Askew's rebellion,

be by thaim examined, and such defawlte as might be found by dewe examinacon upon any seruant of this deponents he wold be as glad to haue that ponished as any man, and over that wold for that satisfacton shold be made to the partie he seithe so they that he come in the morn hurting of the seid compleynant to the said towne of Newmalton as his highway fro my Lord of Surr'

Appended are the three several answers of William Barton, William Miller, Rauff Shilton and the other defendants, in which they plead they are no wise guilty, and pray to be dismissed. (*Ibid.*, No. 56.)

No. VII.

To the kyng our soueraign lord.

Humbly shewyth and complenyth unto your hyghnes your daly bedeman Myles Willesthorp' of Willesthorp' in your Countie of the Citie of york esquier, that where Marmaduke Abbot of Fountance,^a William Gascoigne knyght, William Thwates, Thomas Dauell, Sethe Snawsell, William Norton, William Middelton' of Popilton', Gentilmen, and William Nelson of your said Citie of York, marchand, with diuers other inhabitantez within your said Citie iij yeres past haue unlauffully confederyd thame selus to geder that yche of thame shuld aide mayntene and assist oder in all causez that thei or any of thame had or shuld haue to doo, or wold take ouer hand agayn your said subget. And that noon of the said confedrators shall agre or take syde with your said suppliaunt in any mater beyng in variaunce betwene your said suppliaunt and any of your said confedrators, without the assent and agrement of the said confedrators, by the mean of which unlauffull confetracy the said persons and other personez by there seuerall procuryng movyng and commandment hath commytted and done diuers and many heneous riotes, trespassez and wronges to your said subget within your said Countie of your Citie of York and also in your Countie of York, in the brech of your lawez and peas and to the extreme hurt and impoueryshment of your said Oratour, as may appere to your highnes in the articles ensuyng. And gracious soueraign lord your said subget and besecher for punysshon and redresse of the said riotes hath put diuers billez of riot as well before Thomas Erle of

^a Marmaduke Huby, abbot of Fountains 1494-1526, the builder of the tower in the abbey church.

Surrey, assigned by the vertue of your esspeciall commission to enquire of som of the said riotez by fore that doone, as before the maire of your said Citie and other your said Justicez of peas there, and that notwithstanding by meane of the said confedracy and imbracement of the said persons the said riotes hath bene consiled and coude not be founden, and so ryst unpunyshede to the most parlous ensample of other confedrators & mysdoers without remedy be providit by your highnes in that behalfe. In consideracion wherof it may pleas your highnes [etc. etc.] to graunt your gracious lettres of priue sealez [etc.].

Fi[r]ste, the said Miles saith that Nicholas Gascoigne and William Gascoigne, George Oglysthorp gent., John Pullan, John Frere, with diuers oders to the nombre of ix persons, kynsmen of and seruauntez to the said Sir William Gascoigne, and by the commanment of the said Sir William, at Holgate in the said Countie of the Citie of York in Aprell in the xij^{the} yere of your moste noble reigne (1497), lay in a wate of one Richard Bank', cosyn to the said Miles, and there and than riotously assauted, bet and sore wounded the said Richard and put in jeoberdie of his lyfe, for malys which the said Sir William ought to the said Miles.

Item, the said William Nicholas, John Pullan, John Frer, and oder persons to the nombre of viij persons, immediatlíe after the said riote done, come to the parke of the said Miles at Willesthorp'^a within the said Countie of the said Citie, and there riotoselíe pulled and bet doon ralys and pale burdez of the said by the commandment of ye said Sir William.

Item, uppon the next day folowyng after the said riote commytted, the aforesaid William and Nicholas Gascoigne, William Norton gentelman, Richard Bynkys, Raufe Kirkeby, John Lupton, Richard Langton, Richard Ketilwell, James Bebe, James Wawen, Thomas Graunge, John Notyngham, William Wryght, Thomas Gaton, Miles Coke, William Thomlynson, James Leke, Perys Dewes, with oder to the nombre of cc persons, unlauffullie stirred by the procurment and assistaunce of the said confedrators and by there seuerall commandmentez, riotoselíe assembled, defensable araid in maner of warre, uppon Marston More within your said Countie of your said Citie, to thentent to poule doon the pale of the parke of the said Milez at Willesthorp' aforesaid, and to the same unlauffull entent opynly and riotoslie there abode as men redy to fyght, unto such tyme as Sir Cristofer Warde, Sir Richard Cholmeley, knyghtez, and dyuers oder persons by

^a Wilstrop, in the parish of Kirk Hammerton, between York and Knaresborough.

the commandment of Thomas erle of Surrey and of the reverent fader in God, the bisshop' of Karlile,^a come theder, and in your name soueraigne lord commaunded the said riotes persons to departe thens, which commaundment, notwithstanding they wold not depart unto such tyme as they presumptuouslie with force and armes riotously pulled downe a parcell of the said pale.

Item, the said Seth Snawsell, William Thwates, Water Wod, Richard Bynkys, Raufe Kirkeby, John Lupton, with dyuers named in the last article and oder to the nombre of cccc persons and aboue, assembled by nyght in harnes in maner of warre, by the stirryng and commaundment of the said confedratours, come to the parte of your said besechere at Willesthorp' aforesaid, the Tuysday next after the feste of the Epephany the xiiijth yere of your moste noble reigne (Jan. 9, 1497-8), and there rioutously pulled down xix^{xx} rode of pale of the said parke, and so riotously assembled the same day come to a hous of the said Miles at Willesthorp' aforesaid, called Colier hous, and there with axis hewid in sonder the postez of the said hous and pulled it downe, and frome thens in lyke riotousse maner come to a water myll of the said Miles in Tokwith in the said countie of the said citie, and pulled down the said mill and the mill hous and kit in sonder the water whele and the axiltre of the said mill.

Item, where your said besechere sone after that in the said xiiij yere of your most [noble] reigne had by vertue of your highe commaundment set up ix^{xx} of pale than latly pulled doonn by y^e said riotours, Richard Bynkez, Raufe Kirkeby, John Thomlynson, John Lupton, Herry Dykson, Pers Dewes, Richard Gell, James Leke, James Wawyn', Thomas Graunge, John Notyngham, Miles Coke, and oder riotous persons belongyng to the said confedratours to the nowmbre of cc persons, defensable arraid, riotouslie, by the commaundment, assistance and in trust to be defendid by the myght of ye said confedratours, pulled doonn the said ix^{xx} rode of pale. And zit, therwith not beyng content, cruely cutt all the said pale bordez of the said ix^{xx} rode of pale in sonder, and also hewid and kit doonn c walnottreis, appiltreis grafted ij or iij yere before, and also distroid ix^{xx} rode of quikwod where the same pale stode.

Item, the Setterday in Clensyng Dais^b the xiiijth yere of your said reigne, John Thomlynson, Herry Dicson, Pers Dewes, Richard Gell, Raufe Kirkby, Richard Bynkes, James Leke,

^a Robert Sever, abbot of St. Mary's, York; bishop of Carlisle, 1496-1502.

^b Cleansing Days, which is a different term from Clean Lent, were the first four days of Lent, which commenced in 1498 on March 4.

James Walwen, Laurence Chambre, James Bebe, Thomas Gayton, Robert Northerby, Brian Abbey, John Raufson, Robert Staynborn', Cristofer Gilliot, Richard Warter, John Colynson, John Lupton, John Thomson, Richard Baynbrig, and other to ye nombre of cc persons and aboue, seruauntez and tennantez to the said confedrators, by there commaundment, assistance, and procurment, and in trust by ther myght and pour to be defended, arraid in maner of warre, come to Tokwith within your said Countie of the Citie of York, and ther riotously brak and kit out a stank of the said Miles and let ye water out and also brake ye mylnestone, And ye cog whele of the said mill.

Item, uppon Shire Thursday^a next folowyng, the same persons, named in the last article and oder to ye nombre of c persons, in the name of the said confedrators and by there commaundment, assistance, and procurment, brak and let out ye water of the said stank at Tokwith aforesaid and toke and distroid grete nombre of pykez, bremez, tenchez, and other fyssh in the said stank belongyng to ye said Milez.

Item, the vij day of October last past, Raufe Kirkby, Richard Dikconson, James Bebe, James Wawen, and oder to the nombr of xij persons, seruantes and tenantez to the said confedrators, by there commaundment and assistance, defensible araid, come to the more of Willesthorp', wher of your said besechere is sesed, and there riotously hunted [*sic*] and the conyes of the said Miles, and digged up the erthis of the conyes, and cut doon certan treis of your said besecher.

Item, uppon Sondag next after xijth day last past (Jan. 12, 1498-9), in the mornyng John Kighley, Herry Gascoign, Robert Preston, John Rad, George Pykerd, Bryan Pullan', John Pullan', John Tapolyng', Thomas Rousley, Xpofer Gilliot, William Cledhows, Richard Dyconson, William Thomlynson, Robert Askham, John Abbey, William Tailor, John Oxton, Richard Ivys, James Wawen, Richard Fysshier, Raufe Kirkby, John Lupton, and Richard Bynkys, seruantez and tennantez to ye seid Sir William Gascoign, William Thwate, Thomas Davell, and Seth Snawsell, with other to ye nombre of c persons and aboue, araid in forme of warre, come to ye place of your at Willesthorp' aforesaid, and there riotously and cruelly cast doon in dyuers placez of the said parke xl rode of pale, and hege of you said beshechere, and there riotusly entred and hunted in the said parke, and killed dyuers dere, and thame had away by your commaundment of the said abbot of

^a Maunday Thursday, which fell on April 12 in 1498.

Fountaunce and Sir William Gasconge, William Thwate, and Seth Snawsell. And the same tyme dyuers other persons belongyng to the said Sir William, by the assent of the said riotors and by the commanment of one Aleyn Staveley of York marchaunt, come to ye dwellyng hous of the said Millis within ye said parke, and there sought ye said Miles, and when yie couth not fynd hym ther, thei departed fro ye said place and rode in to ye said parke to ye other riotors ther riotously huntyng. And thei contynuyng the said males the same tyme brak both pale and hege. And after the grete nombre of the said riotors the same Sonday in masse tyme, litell regardyng the gode tyme, haueyng no drede of God nor fere of punysshynge of your lawys gracious lord, in the same riotous assemble from thence rode to Tokwith in ye said Countie, and there abode all the same day to nyght in ye same assemble, and dyuers and many of thame, havynge unfittyng langgage agayn the said Miles, conspiryng his utter distruccion, oppynly sayng that they wold repare agayn to the said parke and dwellyng place of ye said Miles, and make serch for hym, and if thei myght fynde hym to sle hym.

Appended are the several answers of William Cledur and Mylys Coke, both of whom plead not guilty and malice on the part of the plaintiff. (*Ibid.*, No. 58.)

No. VIII.

To the king our Souereign lorde.

Humblyshewith and lamentably complenyth to yor highnesse yor true subget and faith full liegman, John Tothe of Malton in Rydall in your Countie of Yorke, that wher one John Tothe and Elyn' his wif, in the right of the said Elyn', wer seased and possessed in their demesne as of fee by trew and lauffull title of enheritans of a mesuage, iiij oxgang of lande, and xx acres of medow, with thappurtenance in the town and felde of Edston in your said Countie, beyng of the yerly value of xl s., and so seased therof died seased, after whos dethe the said mesuage londes and tenements discendid and owed to discend to your said subget, as cosin and heir of the said John and Elyn', that is to say, son of Thomas, son of William, son of the said John and Elyn'. And your said subget than beyng within age of xxj yeres, one William Tothe of Normanton in the same Cuntie, prest, after the dethe of the father of your said suppliant withoute title, unlauffully entrid unto the same mesuage, londes and tenementes, and therof was seased in his demesne as of fee, and euer sith that tyme hidderto by the space of xij yeres

wrongfully hathe contynuyd his possession in the same, and by force and myght yit kepith your said subget fro the possession of the same, ayent right and conciens, contrari to yor lawis, souereign lorde; and ouer that all the evidences, ch'res and munimentes, concernyng the same mesuages, landes and ten'tes, ben commyn and long tyme haue ben in the possession of the said Sir Will'm Tothe, the nombre and certente wherof is to yo^r said subget unknowyn; so that for lake of knowlege therof he hathe no remedy to haue the same by cours of the co'en lawe, and so it is, most gracious lorde, that yor said subget is of such pouerte, hauyng nothing wherby to live saue onely of almasse, that he is not of power to sue for his said enheritance, ne for the evidences, ch'res and muniments aforsaid, and by occasion of his pouerte he hathe hidderto lakkid his lauffull recouery of the same, and so is likly to doo for euer, onlesse yor speciall grace and soccor to him be shewid in this behalf. In consideracon wherof it may pleas yor highnesse Souereign lorde to graunt to yor said subyet yor gracious l'res of priuey seall, to be directid to the said Sir William, commaundyng him by the same to apper befor yor highnesse and the lordes of yor most honorable councell, wher soeuer it shall happ' yor highnesse to be at a certen day, and upon a payn in the same to be lymyttid, to answer unto the premisses, and ferther to do and receyue as by yor highnesse and the lordes of yor most honorable councell shalbe ordred in that behalf, and yor said pore subget shall daily praie to God for the preseruacon of yor most noble and royall estate.

[Endorsed:] Michaelmas Term in the 17th year (1501).
Second bill.

Appended is the answer of the said William Tothe who says that "John Tothe and Elyn' his wyffe, namyd in the said byll, was seassid of the third parte of the seid measse and iiij oxgan' off lond, specified in the seid byll, and that the seid mede is parcell off the said iiij oxgan' off land, and so seassid off the seid third parte theroff infeffyd on Robert Tothe, be forc' wheroff the seid Robert was theroff seassyd in fee; affter whos dethe the seid third parte descendid to the said William as son and heir of the seid Robert. And off all the residewe he seithe that Alice, his moder, was seassyd in her demeane as off fee by lawfull title, and theroff died seassyd, affter whos deth the seid residewe discendid to the seid William as son and heir to the seid Alice. Be forc wheroff the seid William entryryd into all the premyssez and theroff was seassid in his demeane as off fee. And ferther the seid William seth that the seid John Toth now complenat relessyd all the ryght that he had in the third parte off the premyssez to the seid Robert Toth', then

beyng theroff tenant off the frehold, and that all evidences, escriptes and munimentes, concernyng the premysses, atteynyth and belongyth to the seid William for the conseruacon off his estate in the same, without that that the seid John Tothe and Elyn' his wyff was seassyd of all the premysses, ore that the seid John his cosyn and heir of the seid Elyn', ore that the seid tenents discendyd ore owyd to discend to the seid John, or that the seid William is gyilty of ony mysdemenor, contrarie to the kyngges peas."

Appended also is the replication of John Tothe to the answer of William Tothe prest. He says "that he is cosin and heir to the said John and Elyn', and that after their dethe the said londes and ten'tes discendid and owid to discend to the said John Tothe, now complenant, as cosin and heir to the said John and Elyn' his wif." (*Ibid.*, No. 67.)

No. IX.

To the Kyng oure soueraigne lorde.

In most lamentable wyse compleynyng shewen unto yor hignes youre dayly oratours and poore subiectes, Thomas Alderson of Arres^a in youre County of Yorke, husbandman, Thomas Rauson of the same husbandman, William Snell of the same husbandman, Jamys Sharpe of the same husbandman, That where one Sir Thomas Johnson knyghte, seruant unto the right honorable lorde Henry, Erle of Northumberland, in the name of the saied Erle, dymysed, graunted, and to ferme let unto yor sayied subiectes, abowte iiij yeres past or thereupon, iiij mesuages, xxxij^{ti} oxgan of arable lande, and certayne other pastures with their apportynances, sett lyeng and beyng in the sayed towne and Fyldys of Arres aforesaied, in youre foresayde County of Yorke, To haue and to holde to your sayde subiectes at wyll, yeldyng and payeng therfor yerely to the saied Erle the summe of x^{li} sterlyng at two termys in the yere, that is to saye, at the fest of Pentecost and Saynt Martyne in wynter by euyn porcyons. By force wherof yor sayde subiectes entred in to the sayed iiij mesuages, xxxij^{ti} oxgan of land with their appurtnances, and therof were peaceably possessed unto the xij daye of August in the xxxij^{ti} yere of youre most noble reigne (1532). That Sir Robert Constable, knyght, with force and armys, that is to saye, with swordes, bucklers, bowes, arrowes, and other defensible weapons, accompayned with hym to the nombre

^a Arras, in the parish of Market Weighton.

of xxiiij^{ti} persons, in to the sayed iiij mesuages xxviiij^{ti} oxgan, of lande with their apportynances, ryotously dyd enter, and the barley, ootes, and pese, beyng upon the sayed grounde, repyd and set in shokkes, by estymacon to the valewe of cccc quarters, or therupon wrongfully wyth force and armys and in ryotous manor toke from yor sayed subiectes, whyche barley, ootes, and pese amounted to the clere valewe of lxxx li. And also, most drad Soueraigne lorde, the saied Sir Robert, not beyng contented with the sayde ryot and mysdemeanor, as is aforesayde, but of his further couetous mynde and extorte power, the sayde xijth daye of August aforesaid, expulsed and puttyth forth yor sad subiectes owte of the same iiij mesuages and xxxij ti oxgan of lande withowte any warnyng to them gyven by ye saide Erle or other his officers, by reason wherof yor sayed subiectes, whyche had neyther house ne grounde to pasture their cattell, the most parte of their sayde cattell dyed and was for lakke of meate. And furthermore, most drad Soueraigne lord, yor sayde subiectes haue nowe of late sowen with ootes tenne acres of arable lande with in the fylde of Arres aforesayde; and the sayed Sir Robert wrongfully and ageynst yor lawes with his shepe, to the nombre of cccc, hath eaten, consumed and destroyed, and yet dayly consume and destroye with his sayed shepe to the great damage and hurte of yor sayed poore subiectes. And where afore your saied poore subiectes were able to lyue and fynde their selves, their wyffes, and chylterne, are nowe constreigned to aske their lyvyng of other well dysposed persons, whereby yor sayde poore subiectes are utterly impouerysshed for euer, onles yor highnes moved with pyte provide som remedy in this behalf. In consideration wherof pleasyth it yor highnes of yor most abundaunt goodnes the premysses considered to graunte yor wrytte of *Subpena* to be dyrected to the sayed Sir Robert, commaundyng [etc. etc.]. (*Ibid.*, Henry VIII, vol. i, No. 42.)

No. X.

To the kyng owre most dred souereigne Lord.

In most humble wise compleynith unto yor maiestie Nicholas, Bysshop of Wygorn^a and chefe Almoner unto yor highnes, that where one William Marshall late of Brafarton in yor countie of Yorke, beinge seducyd by the devill, about the feast of Penthecost in the xxxvjth yere of yor most gra-

^a Nicholas Heath, bishop of Worcester, 1544-1551.

cyous reigne (1544), at Brafarton aforeseid, did then and theare feloniouslye as a felon of hymself dystroy and drowne hymselfe, contrary to yor peaxe, by reason wherof he then and theare died, as by an Inquisicon takin at Brafarton aforeseid upon the vewe of the bodey of the seid William pleylnly dothe and may appeare; by reason wherof all such goodes, debtes, and chattalles, as were of the seid William the daye of his seid deathe, did and owght of right apperteyne and belonge unto thonlye ordre and disposicon of yor seid almonor by vertue and accordinge to the tenor and effect of yor most gracyous l'res patentés made unto him in that behalf, as by the same more pleylnlye doth and maye appeare. And wher the seid William Marshall, the daye of his seid death, emongest other goodes and cattalles, was possessid of one horse price xvj s., one mare price x s., one stere and one cowe price xxvj s. viij d., which byn come to thandes and possessyon of Martyne Bell and Robert Belle of Brafarton afore seid husbondmen. And albe it yor seid almonor by one John Cordingley, one of the particler deputyes of yor seid almonor withyn the seid countie of Yorke, hath often ande sondrye tymes requyred and instantly desyred the seid Martyne and Robert to restore and deliuer unto hym to thuseaboueseid the seid goodes and chattalles, whiche the [said] Martyne and Robert at all tyme hetherto wrongfully and contemptiouslye refusyd and denyed, and yet dothe, not onlye in contempt and dyspyte of yor most gracyous l'res patentés, but also to the great hyndranncé and lett of yor maiesties almes, which should haue ben mynistrid by yor seid almonor unto yor poore and impotent subiectes, and to the perilous and evell example of all suche lyke offenders, if condigne punysshment and spedy remeady therin be not by yo^r Maiestye shortly prouydid and had in this behalfe. In concyderacon wherof and for asmoche yor seid almonor can haue no remeady by the ordre of yor comen lawe for the obteyninge of the premyssis, it may therfore pleas yor maiestie to graunt yor most gracyous writt of *sub pena* to be directed unto the seid Martyne and Robert, and to eyther of them, commanding them [etc. etc.].

Appended is the answer of Roberte Bell in which he says that the said William Marshall did make hys laste wyll and testamente and by the same dyd constytute and name one John Overende hys executor, and then dyed; after whos deathe the sayd Overende, takynge uppon hym the charge to admynystre, as executor to the sayd Wylliam Marshall, dyd geue unto one Thomas Belle, Margaret Belle, Agnes Belle, Sysley Belle, and to Agnes Furnes, the chyldren of the sayd Roberte Belle, and of his wyffe, the said stere namyd in the sayd

Byll and the sayd heeford. By vertew of whyche sayd gyfte the sayd Roberte Belle, as garden to hys sayd chyldren, dyd take the sayd stere and heeforde, and the same to the use of hys sayd chyldren hathe deteyned and kepte, as well and lawfull it is for hym to doo, wythowte that that the sayd Roberte Belle dyd take the sayd horse stere cowe and mare, or any of them, in maner and forme as is supposyd in the sayd byll. And whear it is allegyd in the sayd byll that the sayd Wylliam Marshall dyd drowne hym sellffe feloniouslye ageynste the peasse of our soueraynge Lorde the kynge, to that the sayd Roberte Bell saythe that trewe yt ys that yt was presentyd by the othe of xij honeste men before Roberte Lownde, on of the coranors of our sayd soueraynge Lorde the kynge of hys cowntye of Yorke, uppon the vyew of the bodye of the sayd Wylliam, the xx daye of June in the xxxvj yeare of hys magestes raynge (1544) that the sayd Wylliam the xth daye of June in the yeare aforesayd, abowghte threof the cloke in the mornynge, at Bradforde [*sic*] aforesayd, was syke of dyseasse callyd the blake agew, and soo laye syke of the sayd dyseasse by the space of xiiij dayes, by reason of whyche dyseasse the sayd Wylliam was owte of hys mynde, and ther in hys heade beyng in a greate rage and passyon dyd sodenly ryse and dyd runne in to the fylde of Bradforde aforesayd, nyghe unto a water callyd Swaylle, and ther by chance dyd falle in to the sayd water, and sodenlye was drownyd, and that the sayd Wylliam came soo unto hys deathe, and not in any other wyse as by the sayd presentmente redye to be shewyd more pleynty yt dothe and maye appeare. (*Ibid.*, vol. i, No. 102.)

No. XI.

[To the King our sovereign lord.]

In most humble wise sheweth unto your excellent highnes your dayly orator, Richard Crowder, clothier, brother and heir of George remembraunce of man hath bene a laudable custome used within the parysh of Halyfax in the countie of York, that euery free tenaunt within the said parish yerely under the parson of the said parysh chirche for the tyme being for the tythe of hey, corne [etc.], growing within the lymyttes of the seyde parysshe, a certen sume of money or other thyng, as it hath bene tyme owt of remembraunce of man certainly assessid, what euery inhabitaunt of the seyde parysshe, according to the rate and quantite of

theyre tenure, shuld yerely pay for theyre seyde tythes, which money so of antyquite rated [they paid] unto the prior of Lewes yn your countie of Sussex, parson of the said parish, or to hys depute for the tyme beyng, whyther they had corne or grasses growing within the seyde parysshe or not, with which somes of money the said prior and his predecessours have bene well contentyd without demaundyng the seyde tythes. By reasone of whiche lawdable custome the inhabitauntes of the seyde towne have of longe tyme lyved in rest, welth, and quyettesse, till now of late that Robert, nowe prior of the seyde monastery of Lewes, and parson of the seyde parysshe chirche of Halyfax, nothing considering the contynuall payment of the seyde money yerely for his seyde tythes, beyng of gredy and covetous mynde, intending to defeate and dystroye the seyde olde and lawdable custome, hath nowe of late tyme demaunded tythe of corne and hey growing within the seyde parysshe. And forasmuch as the parysshoners of the seyde parysshe have denyed to make payment unto hym for the seyde tythes, or to pay in any other maner then hathe bene accustomed, the seyde prior hath procured one Robert Waterhouse,^a depute of the seyde prior of hys seyde parsonage of Halyfax, by reason of diverse feyned suites takin ageynst dyverse of the inhabitauntes of Halyfax in the courte espirituell of the Archbysshope of Yorke, to grevously vex them ageynst all reason and equite. By reasone wherof they are compelled to waste the most parte of theyr substance in defence of the seyde feyned and unlawfull suytes. The seyde Waterhouse lykwise by the sinistre procurement of the seyde prior hath cawsed dyverse of the seyde inhabitauntes to be arrestyd for the peas, to theyre no lytell dysquetyng and enpouerysshynge. And wheras we, the seyde inhabitauntes, vpon suyte made to your most honorable cownsayll, hathe opteigned commyssions directed to commyssioners to sytte vpon the tryell of the said lawdable custome, the seyde prior and

^a An abstract of the lease of the tithes of Halifax, etc., from Robert (Croham), prior of Lewes, to Robert Waterhouse of Halifax, for 99 years, dated May 7, 26 Henry VIII (1534), has been printed (*Yorkshire Deeds*, p. 74). In the Report of the excursion of the Yorkshire Archæological Society to Halifax in 1876 (p. 22), mention is made of two other leases about these tithes between the same parties, dated respectively May 7, 20 Henry VIII (1528), and April 28, 24 Henry VIII (1532). Robert Waterhouse had a son, Gregory Waterhouse, of Siddall, on whom, on his marriage with Margaret, daughter of Nicholas Tempest, of Bracewell, the residue of the terms of years were settled. Gregory was a widower, with three grown-up sons, Robert, Jonas, and Lewis, and an elder brother, John. The composition, which was agreed to as an outcome of this dispute, is enrolled in full, with the names of all the landowners, in *Archbishop Lee's Register*, fo. 113 (Watson's *History of Halifax*, p. 343).

Robert Waterhowse, by theyre synistere labor and crafty meanes, have severall tymes opteigned sondry wrytts of *supersedeas* yn dischargyng of the seyd commyssioners from any further medelyng in the same, whereby the seyd inhabitauntes have bene extremely dysquyeted and enpouerysshed to theyre utter vndoing in this worlde. And because the seyd prior and Robert Waterhowse could not opteign theyre crewell malycious purposes, the seyd Robert Waterhowse and, amonge his other frendes and adherentes, one Gilbert Waterhowse, servaunt unto the seyd Robert, knowing the seyd George Crowder took parte with the seyd inhabitauntes of Halyfax, yn theyre said good and just cawse, about the 23 day of February in the seyd 26 yere of your most noble reigne (1534-5), of malyce purpoused and of hys devyllysshe mynde, entendyng crewelly to murdre and slee the seyd George, lay in awayte betwene 7 and 8 of the clock at after none to murdre the seyd George, and kepte company with the seyd George, demaundyng of hym whyther he wolde kepe his olde opinyon, that is to say, that the seyd Robert Waterhowse shuld not nor ought to have of the inhabitauntes of Halyfax tythe hay or not. Wherupon the seyd George answered that he owght not. Then the seyd Gilbert, not contentyd and for his seyd maysters sake and by his abetment and procurement, and to avenge the wrongfull quarell of the seyd Robert Waterhowse, made assaute upon the seyd George, and with a dagger, price twenty pence sterling, upon the lyfe part of the body of the seyd George, that ys to say, betwene his pappe and his coller bone, felonsly did stryke the seyd George, and gave hym a mortall wounde, by reasone wherof he a whyle after dyed. And one Lawrens Waterhouse, father unto the seyd Gilbert, and the seyd Robert Waterhouse, felonsly recetted and comforted the foreseyd Gilbert, for reformacion wherof your seyd suppliant suyed unto John Frobyser, one of your crowners within your seyd countie, who, according to your most gracious lawes, cawsed a jury to be summoned, afore whom, upon the viewe of the seyd deade body, the mater aforeseid concernyng the murdre of the seyd George was then and there truely founden by the verdyt of the seyd jurye. Soe it is, most drade soveraigne lorde, that the seyd Frobyser, of his corrupt and untrue mynde, nothing regarding his othe and his duety to your highnes, hath cawsed an inquisyc'on to be taken and engroced ynto parchemyn, and hath omitted all the seyd accessoryes, to the great lette of justice. Wherefore it may please your most noble Grace to grant your most gracious wryttes of *sub pena*

to be dyrected to the seyde Frobysher, commaundyng him to cawse a jurie to fynde the truthe of the mater, otherwise to appyere afore your highnes and the lordes of your most honorable cownsall in your Starre Chambre at Westminster [etc.].

[Endorsed:] Before the King and his council at Westminster in the Octave of St. John the Baptist next to come. (*Ibid.*, vol. ii, No. 81.)

No. XII.

To the lordys of the kynges most honorable Counceill.

In most humble wyse shewith unto yor good lordshippis William Whorwood, Attorney Generall unto the kinges maiestye our souereigne lord, of and for the behalf of our seid souereigne lord, that wher before this tyme, that is to say, the xjth day of Novembre in the xxxjth year of the reigne of our seid souereigne lord (1539) his highnes, of his mere mocon and specyall grace, did ordeyn and depute the reuerend father in God, Nicholas, bysshop of Wurcestre, by the name of Nicholas Heth, clerk, doctor of dyuytie [*sic*], to be his gracys highe almoner during his highnes pleasure, by vertue wherof he was and yet is lawfully possessid of the same office of Almonor accordyngly; and by the same lettres patentes did gyffe and graunt unto the seid Almonor, in augmentacon of his maiestyes almes, aswell all the goodes, debtes, and chatalles of all maner persones, felons of theym selffes, and of euery persone, felon of hymself, as all and sing'ler deodandes within this realme of England, Wales, and merches of the same, and also within towne of Caleis and the merches therof, aswell within libertyes as without, as by the seid l'res patentes more at large doth and may appear. After which lettres patentes grauntyd and made unto the seid Almonor in maner and forme aboue seid, one Richard Menell,^a late of Heslyngton in the countye of York, being prysonar within the gaole of the castell of

^a The *Inq. p. m.* of Richard Mennell, gent., son of William Mennell, was taken at York Castle on Aug. 5, 36 Henry VIII (1544). The father's will, made on Dec. 24, 1538, is given in full in the inquisition. Richard Mennell died seised of property in Heslyngton, held of the manor of St. Leonard's, York, in Fulforth, of the King's palace of York, and in Est-Gaylles and Hunton of the castle of Richmond, all of the king by knight service. In Sinderby of John, Lord Scrope of Bolton, in Carleton (Carlton Miniot) of the earl of Derby, and in Aysynby of the archbishop of York of his manor of Topclyff. His only daughter and heiress, Isabel, was aged six months and fourteen days at the time of his death (*Ch. Inq. p. m.*, lxxi, 110; and *Ex. Inq. p. m.*, ccxli, 34). The wardship and marriage of the heiress was granted on June 29, 1546, to John Bowes, the king's servant (*Letters and Papers*, Henry VIII, xxi, 579).

York for poysonyng of his wyffe, and beyng a man of great substaunce and riches in goodes and chatalles, and also being seducyd by the devyll, the xvjth day of Marche, in the xxxvth year of the reigne of our seid souereigne lord (1543-4), within the seid gaole, about the houre of vij of the clock before none of the same day, with a knyffe, price ob', which the same Richard did then hold in his right hand, did then and thear felonyously cutt hys owne throte, by reason wherof he then and thear and at the same instant dyed, and so as a felon of hymself murdrid and kyllid hymself contrary to the peaxe of our seid souereigne lord, as by an inquysicon at the seid Castell of York the xvijth day of Merche in the seid xxxvth year before X'pofer Marshall, one of the Coronors of the seid countye of York, upon the vewe of the body of the seid Richard, playnly appeareth, by reason wherof all suche goodes, debtes, and chatalls as were the said Richard the day of his seid deth, did, and ought of right, to apperteyn and belong unto the distribucion of the seid Almonor in augmentacon of the kynges almes, by vertue and according to the tenor and effect of the seid lettres patentes. Wherupon one Marmaduke Fawlkes, gent., being one of the deputys of the seid almonor concernyng the premysses, hearing of the seid murdre commyttid and done upon the seid Richard in murdryng of hymself, repairid and cam to the mansyon and dwellyng house of the same Richard at Heslyngton aforeseid, for and to thentent to sease all suche goodes, debtes, and chatalles, as were the same Richard the day of his seid deth, and therof to take and make a true inventory for and to the intent that the same goodes, debtes, and chatalls mought have bene distributyd in the kynges almes according to the tenor and effect of the seid lettres patentes, which to do and accomplische one Henry Burton, then and yet being deputye baylyff of the late hospitall of Seynt Leonard in York, wold not permytt and suffre the seid Marmaduke to do, saying that he then did not knowe to whom the distribucion of the seid goodes and chatalles did appertoyn and belong. Wherupon it was then and thear accordid and agreade betwen the seid Henry Burton and Marmaduke, that as well all suche goodes and chatalles as were afore that tyme takun out of the mansyon and dwellyng house of the seid Richard Menell at Heslyngton aforeseid by the seid Henry Burton at suche tyme and when the seid Richard Menell was commytted to the gaole within the said Castell of York for the poysonyng of his seid wyffe, as also all other goodes, debtes, and chatalles as wer of the same Richard Menell at the

time of his seid deth, and then being in the mancyon and dwelling house of the same Richard, or in eny place by the dylyuery or knowledge of the seid Henry Burton, shold be saffely kept and furthcommynge at suche tyme that yor good lordshipps had upon the xamynacion of the premysses ordrid and determynyd, unto whom the orderynge and disposicion of the seid goods and chatalles did apperteyn and belong. So it is that the seid Richard Menell was possessid the day of his seid deth of certen goodes, debtes, and chatalles, amountyng to the some of xlii. sterling, the veray certentye wherof to the seid Almonor ben unknowen, which be com to thandes of the same Henry Burton and William Menell. And albeit the seid almonor by the seid Marmaduke his deputye thear hath oftentimes requyrid the seid Henry Burton and William Menell to restore and delyuer unto hym to thuse aboue seid the said goodes and chatalles, amountyng to the seid some of xlii., so by theym unlaufully conveid and caried away, yet that to do the same Henry Burton and William hath at all tymes wrongfully and contemptuously refusid and denyed, and yet doth not only in contempt and despite of our seid souereigne lord and his graunt therof in forme aboue seid made, but also to the great hynderaunce and lett of his maiestyes almes, which shold haue bene mynystred by the seid Almonor to his gracys poore and impotent subiectes, and to the most perilous and evill example of all such lyke offenders, if that condigne punysshement and speady reamedy therin be not by yor good lordshipps shortly prouydid and had in this behalf. In consideracon wherof it may please yor good lordshippis, the premysses concederid, to graunt the kynges writt of *sub pena* to be directyd unto the seid Henry Burton and William Menell, comaundyng theym [etc. etc.].

[Endorsed:] Attachment to be made against the Octave of Hilary. (*Ibid.*, vol. ii, No. 166.)

No. XIII.

To the mooste reuerent fader in God, Thomas, lorde cardinall archebysshope of York, primet and chaunceler of Ynglond.

In moste humble wyse shewith and complenyth unto yo'r grace yor humble orator, Leonarde Bekwith, gentilman,^a

^a Eldest son of Robert Beckwith, of Stillingfleet, whose will was proved on Oct. 29, 1529 (*Test. Ebor.*, v, 273). Leonard, afterwards Sir Leonard

that, where as yor seid orator was in Godes peace and the kynges the xvijth dey of merche, the xijth yere of the moste noble reigne of our soueraigne lord the kyng that nowe ys (1520-1), at Acastre Selby, in the countie of the cite of York, unto oone John Stillyngton^a of the seid town of Acastre Selby, esquier, and one Androwe Hudsthaite of the same town, yoman, nowe seraunde to the same John Stillyngton, whiche Androwe laite fled owte of the shier of Norfolke, for murdre by hym comyttid and doyne at the town of Kyme^b or neght thereto, accompanyd with other evyll dysposid persons adherantes to the seid John and Andrawe, to the novmbre of viijth persons, to yor seid orator unknowen, riotusly and in haynous maner assembled in maner of warr and with defensible arrey and wepen, that ys to sey, with pykid' staves, swerdes, and dagars, at Acastre Selby afforeseid, the dey and yere aboue written, and they, then and there so riotiously assembled, in yor seid orator assaute maide and in hym then and there riotusly handes laide and helde, with force wordes hym threte to sley, murdre, and mayme, and hym so maliciously, in feire of lyf, by the space of halfe an owre more helde and kepid, to hys great jopardy, feire, and dreid to be slayne and muredred, whereby yor seid orator at that tyme nor other sythe that tyme durst not goo aboute hys labor, besynes, and causes, that he had to doo in thoes parties, to hys great losse, hynderance, and damage, and to the perillous example of suche other riotus, malicious,

Beckwith, knight, was sheriff of Yorkshire in 1551, and was buried in York Minster in 1555. He made a large fortune by jobbing in abbey lands, and amongst other large estates bought Selby Abbey.

^a Probably a son of Robert Stillyngton, of Nether Acastre, esq., who made a nuncupative will on July 1, 1496. "Compos mentis et sane memorie, subitanea, tamen, infirmitate correptus, presentibus nonnullis amicis suis familiaribus et cognitis, premissisque ceteris salutiferis instruccionibus pro salute anime sue," he desired to be buried "in atrio" of the collegiate church of St. Andrew of Nethir Acastre, before the image of the B.V.M., near an altar on the south side of the church. Residue to Agnes, his widow, for the benefit of his sons and daughters. Witnesses, Edmund Twhaytes, esq., John Underwood, LL.B., Thomas Gennyncehonne, chaplain. Proved by the executrix on Oct. 15, 1496 (*Reg. Test.*, v, 486*d*). Administration to the widow's estate was granted on April 23, 1517, to Robert Aske, esq., John Styllington, gent., and Peter Bygode (*Ainsty Act Book*).

Jan. 18, 1533-4. John Styllington, of Acastre Selby. Buried within the College of Sanct Andro, nighe my first wife. To the hie aulter of Sanct Ellen of Styllingflet, for my tythes forgotton, 13s. 4*d*. Churchwarkes of Styllingflet, 6s. 8*d*. Thomas, my sone, one pounssed goblet with a coueryng. Anne, my doughtour, one gilted cope with a coueryng, and one fedderbede with ij pare shettes. Res. to Anne, my wife, executrix. Thies wittenesses, Sir John Becarton, Maister Edward Saltmarche, Sir Thomas Elles, and William Taite. Proved by the executrix on Feb. 14, 1533-4 (*Reg. Test.*, xi, 42*d*).

^b ? Lynn.

and ill disposid persons, if this shulde be sufferde unpunysshed. Yt will therefore, the premisses consideryd, pleas yor grace to graunte unto yor seid orator the kynges writ of *sub pena* to be directid to the seid John and Androw, commandyng [etc. etc.]. per me leonardu' Bekwith.

[Endorsed:] Before the lord the king and his council at Westminster on the morrow of "Sc" (*Ibid.*, vol. iv, No. 35.)

No. XIV.

To the moste reuerent fader in God, Thomas, lord cardinall archebuschoppe of York, primet and chaunceler of Ynglonde.

In moste humble maner shewyth and compleynyth unto yor humble orator, John Beilby,^a that, where as yor seid orator ys and haith beyn peaseably possessid to ferme by the space of vi yeres past of the parsonage of our Lady church thelder of Bysshopehyll in the cite of York, of the demys and lees of Syr Wylliam Ydell, parson of the seid church, and hath a newe lees of the same, whoys lees yet contynewis; within wiche parysshynge is a littell towne or village, callid Middelthorpe, belongyng to the abbey of Bylande in Yorkshier, and within the liberties and fraunches of the same abbey. So it was that yor seid orator, as he tofore this haith doyne, hadde hys seruande there, one Richard Orome, and manurid and maide the teynde hey within the seid towne of the seid parisshe, and so it was that uppon Munday, the xvijth dey of June last past, that is to sey, the xiiijth yere of our souereigne lorde the kyng' that nowe ys (1521), one Petyr Jakson^b of the cite of York, merchande, a furious, hasty, and malicious man, and with hym one Syr Wylliam Mershall, chauntre prest, hys wyfes broder, John Hogeson of York, merchande, Herre Chambre of Yorke, merchande, Robert Sharpe of Yorke, merchande, Thomas Chace of Yorke, skynnar, James Thorne of York, merchand, Richerd Lelome of Yorke, yoman, John Wilkynson of Acastre Malbysshe, husbandman, John Maunby of the same, husbandman, and Thomas Space of the same, husbandman, and othure riotus and evyll disposid people to the noumbre of xxiiij^{ti} persones and aboue, to yor seid

^a His will, proved in 1540, is printed in *Test. Ebor.*, vi, 91.

^b There is a short account of Peter Jackson in the *Guild of the Corpus Christi, York* (Surtees Soc., lvii), p. 172.

orator as yet unknown, the seid xvijth dey of June assembled them at the cite of Yorke in maner of warr arrayed, that ys to sey, with bowes, arrowes, bylles, swerdes, and buklers, and other ablementes of warr, riotusly. And, they so assembled, the seid Petyr Jakson callyd unto hym certeyn of ye seid hys adherantes and rioturs, and commaundid them to make speide unto ye seid town of Middelthorpe and he wolde folowe them, and commaundid them oponly in ye streites yt they shulde take yor seid orator and his seid seruande, if they found them ledyng ye seid hey, and to bynde yr feit and handes and cast yem of ye wayn aboue ye hey and bryng them so to hym. And after this, moste gracious lord; the seid Petyr, with hys seid riotors, with the hayste he cougth make, came in to the meddowes where yor seid orator seruande was makyng the seid hey, and with hym browgth foure waynes, accompaned as ys afforseid, where as he tooke the seid Richerd Orom', seruande to yor seid orator, and hym manysshed and thrette to bynde hys feyte to gydder and to cast hym into the watter of Owce, whiche watter ranne by the seid middowe, with many other terryble and ferce wordes, aswell agaynste yor seid orator as anenst hys seid seruande, whereby he was in great feire and dawnger of hys lyf. And the seid Petyr Jakson, then and there bryngyng with hym the seid riotors and foure waynes, lodid them with the seid hey, and with great rowtes and showtes ledde the same hey in to the cite of Yorke, not withstondyng there was arrest maide upon yt by the Bailley of the Fraunches of the seid Abbot of Byland. And also, the next morowe after, the seid Petyr with the seid mysdoers or other assemblid them at York, and went unto the seid middowe, intendencyng to haue sleyne and muredred yor seid orator, if he myght there haue afounde hym or hys seid seruande, so that hys seid seruande darnot go abowte the besynes and labours of yor seid oratorz as he shulde doo, to the great example and currage of other evill doers, oneles the seid Petyr and hys seid adherantes riotors be punesshid in example of other. And so it is the seid Petyr is riche, myghty, hedy, and prowde, and greatly alyed there by mariege of hys wifes doughtors, of whome he hadde there thre or foure at the seid ryot, yor seid orator canne haue no right agaynst hym in the seid Cite, it will therefore, as well for the seid riott as for other the premysses, pleas yor grace to graunte unto yor seid orator the kynges letters under hys prevey seall, or els the kynges writtes of *suppenays* to be dyrectid to the seid Petyr and other hys adherantes, commaundyng them and euery of them [etc. etc.].

[Endorsed :] Before the lord the king and his Council in the quinzaine of St John the Baptist next coming. (*Ibid.*, vol. iv, No. 40.)

No. XV.

To the Kyng our Souereigne lord.

In most humble wise shewith vnto your highnes your trew and feithfull subgiett and daily orator, Robert Benger, that where your same orator was seased in his demeane as of fee of a mease, a cottage, xx acres of lond, ij toftes, ij croftes, and six acres of wood in Southduffeld, in the countie of Yorke, one William Mexburne, John Harryson, the wiff of one William Hadilsey, by the procurement of the said William Hadilsey, the wiff of one William Tauerner, by the procurement of her said husbond and the said William Hadilsey, the wiff of one Robart Hasilwode, by the procurement of her said husbond and the said William Hadilsey, and oder evill disposed and riotous persons to the nombre of xvj persons, to your said orator unknowen, by the procurement of the said William Hadilsey, the xxiiij day of Nouember, the xiiij yere of your most noble Reigne (1521), at South Duffeld, vnlawfully and riotously assembled with swardes [etc.], and entred into the said premisses, and the dores and walles of the said mease forcibly brake downe and dispoiled, and the tenantes and occupiers of the same mease and oder the premisses riotously and in most euill and violent maner put out of their tenementes, ayenst your peace and thordre of your lawes. In tender consideraco'n whereof it may therfor please your highnes to graunt seuerall writtes of *sub pena* [etc.].

The answeare of Wylliam Hadylysey and other to the byll of complaynt of Robert Benger.

The seid byll off complaynt ys fenyd off vntrouthe, only to vex the defendauntes ; and by protestacion, not knowyng that the seid Robert at any tyme had any thing in the seid landes, bot for plede, they sey that on Mariorye Cowyng was seissid of the seid landes in hir demesene as off fee, and had issue on Elsabethe, who toke to husband one Wylliam Hadylsay, and after the seid Mariorye by hir dede, beryng date the xxviiij day off Februarie, in the xxv yere of kyng Henry the syxt (1446-7), gaff the seid landys vnto the seid Wylliam and Elsabeth and the herys of ther two bodyis, and after the seid Mariorye dyed, and the seid Wylliam and Elsabeth had issue on' Iohn, wyche had issue Wylliam Hadylsay, now one

off the defendauntes, and the seid landes dissendyd vnto the seid Wylliam as cosyng and heyre vnto the seid Elsabeth, be forse wheroff he enteryd, as lawfull ytt was for hym to do, wyth oute that the seid Wylliam Hadylsay and Wylliam Mexburne mayd any suche ryot [etc.].

(signed) Hadils'.

The replication of Robert Benger states that: one John West, chapeleyn, was seased of the londes in the bill specified in his demeane as of fee, and gave the said londes to one Thomas Hadilsey of Bubwith and to his heires males, and he therof died seased, after whos death the said londes discended to one William Hadilsey, son and heire of the said Thomas, whos estate in the said londes the said Robert Benger hath.

The rejoinder of William Mexbarne and William Hadylsey says that if any of the persons named in the replication had any estate in the lands in question, it was to the use of the aforesaid William Hadilsey and Elizabeth, his wife. (*Ibid.*, vol. iv, No. 98.)

No. XVI.

Too the kynge our souerein lorde.

In moste humble wyse shewith unto your highnes your true and feytheful subiectes, Robert Raffulle, Xpofer Hudson, William Brodyng', William Sandis, Richard Woode, Richard Teyllour, William, John, Robert Browne, Edmond Medecalff, and John Hornecliff, of the towne of Berverley, in your countye of Yorke, where the reuerend father, Edward, archebishope of Yorke, is seised in the right of the said archebyshoperic [of] the towne of Beverley in the countie of Yorke, where for the preseruacion of your gracious peace, good order, rule, and polyse, to be hade in the said towne of Beuerley, and lykewyse for kynges of this your realme tranquillitie, good order, rule, and comen welthe within the said towne of Bervele, the said archebysshope and his predecessors, archebyshoppis of Yorke, have byn contented and agreed by many yeres past that then habytances and receauntes within the said towne of Berverley shuld yerly, in the day of saynt Marke theuangelyst, elect and chus, of them selffes and of no ferren[er]s, xij persones to be named gouerners for j yere then next folowinge the said feste of Saynt Marke, and the same xij persones, doo^a yerly and newly elect, the said enhabytunces shuld present unto the said xij

gouverners whiche were for the next yere then passid, and the said xij persones, doo^a of newe elect and to them presentid and sworne, shulde levie in the same towne the fermes, rentes, and the olde feffes, and conserve and meynteyn the good customes and ordynances of the same towne made for the preservacon of your peace in the said towne ; soe that always none of the xij gouernorus for the yere precedent shuld be nomynate or reelect to be any of the xij governours for the next yere folowyng. By whiche said order of election of governors and the good and laudable excersisez and practyses of them and other officers of the said archebysshope within the said towne, the same towne mayny yeres past untylle nowe of late hathe byn well orderid, and your gracious lawys and peace therin for the moze partie dewly obbeyd and obseruid. Pleysith it your grace to understonde that the premisses, not withstondyng one Sir Rauff Ellerkar thelder, knyght,^b whiche hathe his comen habytacoon the space of ij mylles dystaunte frome the said towne of Berveley, beyng moche dysirous to be elect one of the said xij governours, to attayn therunto hathe purchasid a mesuage within the said towne of Berveley, and without that the same Sir Rauff dothe not comenly kepe his habytacion in the same messuage, yet in the said feste of saynt Marke theuangelyste, whiche was in the xxvj yere of your moste noble reigne (April 25, 1534). the same

^a ? soo.

^b Dec. 2, 1539. Mandate to Lady Jane Ellercar, the relict, and to Sir Robert Ellercar, knight, Thomas Ellercar, and James Ellercar, the sons, to collect the effects of Sir Ralph Ellercar, senior, knight, late of Bristwike, deceased (*Holderness Act Book*). Sir Ralph Ellarkar, according to his inquisition, taken at Wyghton (Market Weighton) on Jan. 16, 31 Henry VIII (1539-40), died on Nov. 22 previous, seised of the manors of Rysbye, Mortoun (Moortown, par. of Brandsburton, held of Sir John Fynes, knt., lord Dacre of the Sowthe), Camerton, Hompton, Newton (Out Newton), Hornseburton, Bewham, Hayton, Prestone, Sowthe-Cave, Homanby (Hunmanby), and Benton (Bempton) ; and lands in Beverlay (two messuages and 30 acres of pasture), and other places in the East Riding. By deed dated Feb. 20, 21 Henry VII (1505-6), he enfeofed Marmaduke Constable, knt., John Normavell, knt., William Hungate, esq., and Henry Eure, clerk, in all his real estate to the use of himself for life, rem. to the use of Ralph, his son and heir, and Joan, one of the daughters and heirs of John Arden, esq., in tail. His son and heir, Ralph Ellarkar, knt., junior, was aged 50 and upwards (*Ch. Inq. p. m.*, lxi, 57). Ralph Ellerkar, junior, did not survive his father long. His *Inq. p. m.* was taken at York Castle on June 18, 38 Henry VIII (1546), when it was found he had died seised in addition of lands inherited from his father of a capital messuage in Halthemprice, Moor Grange, and tithes in Skydby in the parish of Elley (Kirkella). On Oct. 20, 31 Henry VIII (1539), he had settled lands in Ayton in Pikerrynglith on Joan Moselay for life, whom he was about to marry. Witnesses, Thomas and James Ellerker, esquires. He died on April 26, 1546, leaving Ralph Ellerker, junior, knight, his son and heir, aged 30 and upwards (*Ibid.*, lxxiv, 52). Sir Ralph had been slain in a skirmish at Boulogne (*Letters and Papers*, Henry VIII, xxi, No. 694).

Sir Rauff by his laboure and procurement made unto then-habytaunces of the said towne, was electe and made one of the xij gouernours of the same towne for the yere then next folowyng. And the said Sir Rauff, so beyng elect one of the said xij gouerners for the said yere endid in the said feast of saynt Marke the euangelyste in this present xxvij yere of your moste noble regne, beyng moche desirous to contene and be newly agayn elect one of the said xij gouerners of the same towne, contrare to the olde order of the same towne usid by mayny yeres paste, in the said feaste of saynt Marke laste past, at suche tyme as the said inhabytaunces and resiauntes of the same towne were assemblid at the a customed place in the said towne, comenly callid the Comyns House, to thentent there to haue peysiabie prosided to thelecon of the xij gouerners for this present yere, and where as the moste parte of craftes brought in billes of names of the moste honeste persones of there craftes accordynge to suche good order of elecon as was of olde usid, the said Sir Rauff Ellerker, contrare to the aunciant order of there howse, toke away there said billes by cause they made nott for his purpose, and when the said billes were callid for, he, the said Sir Raff, avowed he hade them and wolde nott delyuer them, butt with other suche as were of his affynyte proceded to an ellecon, contrare to all good order and to the aunciant forme usid there, and came hyme selff with one Richard Browne frome the benche to the Comens to thentent to perswade them to folowe there myndis, whiche they shulde nott haue done if they hade observyd the olde good order of elecon, then and there usid highe wordes to constrayn men to followe there purposse and to chose the same Sir Rauff and suche oder as he wolde haue gouernours agayn to the number of viij, and your orators, Robert Raffulle, with other to the number of xx persones, the same Sir Raff kepte frome the said elecon and wold not suffer the same your oratours, whiche wolde haue hade a peysiabie elecon and the aunciaunte order kepte, to geve no voyce, and the same Sir Rauff with one Robert Grey and Richard Browne with grett wordes and threattes soo score trobelid the said inhabytaunces at the tyme of the said elecon, that grett besions,^a styrrynge grogis, and brekyng of your highnes peace, in grett extremyte was very lyke to ensue, so moche that the said Robert Grey, one of the xij gowernors for the yere paste, arose frome the benche and said, with a lowde voyce, that one Richard Tail-

^a Probably a form of the word *bysen* = a shocking sight. See N.E.D., s.v.

loure was a busy felowe, and that he shulde be lokyd apon well enoghe, and with furious countynance and opprobrius wordes shaken his gowne and pullid his clothes, sayenge that he well perceuyd the Comens wolde ruffull and ryve hoodes for that matter, and sayd, Wee shall ruffell hoodes, lett us goo to it, wherof he and other his affynytie were then lettid by the dystrytte councell and dylygent laboure of other honeste persones there present. By reason wherof the same Sir Rauff was sufferid to haue his owne wyll in the said elecon, and soo they, the said Sir Rauff, Robert Grey, and other there confederattes, toke apon them the governance of the said towne frome the said Saynt Markes day laste passed for this present yere, wronge fully, by suche unlawfull eleccion. And moste gracious soueraign lorde for by cause your said oratours compleyned of this myseorder and iniuries, doone to them, to the reuerend father in God, Edward, nowe archebyshoppe of Yorke, as they and there predysessours haue byn always wont to doo to the archebyshopes predycsessours, when any varyans fyll amonge thenhabytaunces of the said towne, as to the lordes of that towne, of your highnes and your progenytours promocion, the said Sir Rauff and his felowys, puttynge wronge to wronge, dischargid your said oratours frome there fredome in the said towne, withoute cause, ayenste all good order, right, and conciens, and to there grett losse and hynderans. And wheras afterwarde the said Sir Rauff and his unlawfull confederattes submyttid them selffes to the order of the said reuerend father in God, Edward, archebyshope of Yorke, aswell for thelecon paste as for an order to be takyn and kepte for thelecon to come, wher apon the said reuerend father declarid thelecon, in forme afforesaid forciable hade and obteyned, to be voyd, so unlawfully chosyn to be then no governours, and yet for a good quyetnes to be hade the same archebyshope, partely at the suet of your said oratours, named agayn the same Sir Rauff, Robert Gray, and certen other there confederattes, with a fewe other indyfferent persones of the said towne to be governours for this yere as his deputies, to conteneue soo that they due well, and wolde falle to a good order and acorde for the said ellecon in tyme comynge, whiche they promysid feithfully to doo. And after, albeit the said reuerend father apon his owne laboure deuised and sett to the said xij gouernours a good order for there elecon that no man shulde be gouernour ij yeres together, they, the same Sir Rauff and Robert Gray with there confederattes, seenge that by suche order that the said Sir Rauff and they shuld be dysapoyntid of there porpose

and of thauctorite and rule over your gracious peple, and shuld nott conteneue governours accordynge to there desyres, refusid and yet refuse to obey the olde order of eleccion and euery other order devysid by the said reuerend father, and haue fully determyned to be at lybertie to chose whome they, the same Sir Rauff and his adherentes, wyll, and this libertie haue so farre putt in the Comens heddis that grett perturbacion is aysen therby to your said subiectes and other the quyet and honest peple of the said towne. And where the said reuerend father sent for one Richard Bothe and the said Robert Raffulle, with other your poure orators and subiectes, to enforme hyme of certen thyngis wiche Robert Gray and other hade informed hyme, and to knowe whether they were true or nott, and your said subiectes shewid the said reuerend father the trouthe to be contrare to thenformacon of the said Gray and his unlawfull affynitie, and dysclosid to hyme certen iniuries to the same reuerend father done by the said Gray and his confederates, ayenst the liberties grauntid to the archebyshoppis of Yorke by your hignes and your moste noble progenytors promocien, the said Sir Rauff and his felowys have agayn dyschargid the said Robert Raffulles and other your highnes poure subiectes, freemen of the said towne, oute of there fredome of the same towne, hauynge no auctoritie so to do, and contrare to all lawe, reyson, and by vyolens hathe kepte the same your subiectes from certen liberties and comodities whiche other freemen of the same towne haue always usid to haue, as puttyng there catell frome ther comen and pynneng them in folde, and otherwyse hatfully thretnyng your said poure subiectes, wherby the same your subiectes be putt to grett losses and in dayly ferre of bodely harme. And nowe the same Sir Rauff and other his adherentes be in full purpose to conteneue there said mysorder and usurpyd power by strenght and for the furtheranns of there unlawfull purpose, haue determyned to use and spende the comen goodes of the towne ; and over that haue brought mayny of the comens to consent to the same, whome, under coller and pretence of libertie, they doo leyde to and froo as there lyst. And the said Robert Grey and one Richard Browne, John Wystowe, and Edward Browne, apou the chargys of the comen tresure of the same towne be nowe come uppe to London by the comen assente of the said yll doers, for the meynenance of there said unlawfull behauours. The defaulte of all whiche thynges your poure subiectes moste and doo askrybe to the gredye mynde of the said Sir Rauff, to conteneue nott only a gouernoure

but lyke a lorde amonge your highnes peple in the said towne, and the said Robert Gray is so busy, craftie, dubble, and comenly spekythe dyverslye as the tyme servythe, and dothe dyuers thynges hyme selff openly by dyssymulacon, and yet sterrythe the comens to doo to the contrare, wherby thenhabytaunces of the said towne be brought in suche rage that onles remedy be hade by the auctoritie of your highnes, your powre subjectes thynke that towne undowne, and remedy we thynke none cane be hade as longe as the Comens shall have libertie withoute rule or order to chose whome there lyste, please your moste gracious highnes to addresse your letters of commandement to the said reuerend father, Edwarde, archebyshope of Yorke, that he may be yowre hignes auctorite putt some order in the said elecon and kepe your said subiectes and all othere thenhabytanntes there in peace and quyetnes, and to refrayn the comens of suche perverse libertie and grett will, wherby nothyng cane folowe but zore debate and dyssension, whiche contynueng shalbe to the utter undoyng of that towne and of your poure subiectes, or ells to take some other oder [*sic*] and dereccion in the premisses as may stonde with your moste highe plesure for your contynuall peace and quietnes within the said towne to be kepte. (*Ibid.*, Vol. iv, No. 181.)^a

No. XVII.

To the kyng our soueran lord.

In most humble wise shewith unto your highnes and most noble grace your true subgiect and oratour, William Belford, that where as Elizabeth Conyers, wydowe, accompayned with dyuerse evill desposed persons of hir affynyte, to the noubre of xij persons, which persons beyn to your seid oratour unknownen, the xvjth day of Decembre, in the xxjth yere of your most noble reign [1529], with force and armys, that is to wete, with swerdes, bokelers, billes, glaves, bowes, arowes, and other wepyns invasyue, by procurement of the seid Elizabeth and by hir commaundement, mayd an unlawfull assemble at the manor of Kyrkby in the countie of York, wherof your seid orator haith a lesse for terme of yeres not yet endid of the demyse and lease of Thomas Metham esquier. And the seid persons, beyng in an vnlauffull assemble, riotously and in forcyble

^a The order in favour of the petitioners, made in the Court of Star Chamber on Nov. 30, 27 Henry VIII (1535), has been printed in *Beverley Town Documents* (Selden Society), 64.

maner, entred into the seid manor by the commanndement of the seid Elizabeth, and therof in forcyble maner deforced your seid orator, notwithstanding that he hath good right and title thereunto by reason of the demyse and lease to hym therof mayd by the sayd Thomas Metham, as it is aforesayd, and the same maner the said Elizabeth as yet forcybly kepyth and occupyeth contrarie to right and yoir most honorable lawes. In consideracion of the premisses that it may please your seid highnes to graunt a writt of *sub pena* to be directed to the foresayd Elizabeth Conyers, wydowe, commaundyng hyr by the same to appere before your highnes and your honorable counsaill at your palice of Westm', at a certeyn day, upon a payn, to aunswere to the premisses, and this at the reuerence of God and in way of charite. (*Ibid.*, vol. iv, No. 194.)

No. XVIII.

To the kyng oure sovereyng lord.

In full humble wyse shewythe unto youre highnes youre true and feytfull subiect, Sir Rawfe Bulmere, knyght,^a that, wheare he lawfully was seassed in hys demeane as of fee of and in on messuage, 1 acrez of lond, xx acrez of medow, and 1 acrez of pasture, lying in the towne and feldes of Naby^b within the counte of Yorke, and soo seassed contyneued therof peasably seassed and therof toke the profettes, quyetly, withoute interrupcyon of any person, by the space of v yeres and more, unto to the iiij dey of October last past, at whyche dey on Berthylmew Harwood of Barnacastell' in the counte of York,^c gent., Antony Harwood of the same towne, Wylliam Harwood, Cutbert Thursby, Thomas Hogge, Sir Henry Betson, clerke, Sir Wylliam Symson, clerke, Rauffe Ulloke, Rychard Apleby, Thomas Kay, Rauffe Bowman, John Pattynson, Wylliam Gybson, Jenkyn Rowthayt, Thomas Routhayt, John Symson, Thomas Alenson, John Robynson, George Robynson, Rychard Robynson, Rauffe Howchenson, John Anguyll, Rauffe Nastby, Thomas Somarton, John Parkyn, Chrystofer Appleby, John

^a Probably the younger brother of Sir John Bulmer of Wilton Castle, knight, who was attainted for his share in the Pilgrimage of Grace. Sir Ralph married Anne, elder daughter of Roger Aske, and granddaughter and coheir of William Aske of Aske. She died June 4, 35 Henry VIII (1543), leaving an only child, Dorothy, who married John Sayer of Worsall (Plantagenet Harrison's *History of Yorkshire*, i, 70).

^b In the township of Lartington, near Barnard Castle.

^c Barnard Castle is in Durham.

Apleby, John Wryghson, Raufe Wryghtson, Wylliam Tomson, Thomas Tamson, and Roger Alenson, with dyuers other ryotus personez to the number of lx, to youre seyde oratore unknowne, with force and armys, that ys to sey, with bylles, bowes, arrowes, and staues, at Naby aforeseyd, in ryotus maner theyme sellfes assembled, and then and there ryotusly and forceably entred into the premyses, and then and theyr in most cruell maner expelled and put oute of the premysse the tenant of youre seyde oratore and hys wyffe, seruantes and chylderne, so that they were in feare and peryll of theyre lyues, contrary to youre pease and lawes, not onely to the hurt of youre seyde oratore, but allso in contempt of thorder of youre most honorable Court of Chauncery. In consyderacyon wherof yt may therfore please youre hyghnes, the premyses consydered, to graunt youre most gracyous wryttes of *sub pena* to be dyrected unto the seyde Berthylmew Harwood, Antony Harwood, and other the seyde mysdymened persones, commandyng theyme by the same personally to appere be fore youre hyghnes and youre most honorable Councell in youre Stare Chamber at Westminster.

The answer of Richard Appulby declares that he is not guilty of any riot. He now is, and by the space of vij yeres now last past hath byn, tenant and fermer of the seide mese and part of the seide landes, comprysed in the seide byll, unto one Bartholomewe Harwood, gent., and unto one John Browneles, whose estate theryn the seide Bartholomewe now hath, and ij yeres and more now past had by lawful conveyance in the lawe. And duryng the same tyme of vij yeres the seide defendant hath occupied the same mese, landes, and tenements, and payed the rent therof yerely unto the seide Bartholomewe Harwod and unto the seide Brownles, that is to wytt, he the seide defendaunt payed the rent therof contynually unto the seide Browneles untill about too yeres now past, that the same Browneles bargayned and sold the premyssez unto the seide Bartholomewe, and from the same sale made of the premises unto the seide Bartholomewe, the same defendaunt payd the rent therof yerely unto the said Bartholomewe without interrupcon of the seide Sir Rauffe, or of any other person. And the seide defendaunt seyeth that he is nott, ne att eny tyme was, tenant or fermer of the premyssez to the seide Sir Rauffe, nor to any other by whom he, the same Sir Rauffe, dothe wrongfully pretende title to the premyssez, nor did never pay any rent for the premyssez unto the same Sir Rauffe, nor to ony other person, but only

unto the seid Brownles and Bartholomew Harwood, as is aforeseid, without that that the seid defendaunt forcyble entred into the seid mese and other the premyssez, or that the seid Sir Rauffe had euer eny tenant or fermer of or in the premyssez, or euer lawfully toke eny rent or profett therof, or hath eny right therunto, to the knowlege of the seid defendant, as by the seid byll of compleynt is untruly allegged. (*Ibid.*, vol. vii, No. 38.)

No. XIX.

To the kyng our soueraigne lorde.

In most lamentable wise compleynyng, shewith unto your highnes your dayly oratour and faithfull subiecte, Henry Burton, that, where one Christofof Norton of Bilburgh, in your countie and cite of Yorke, esquier, was seised of and in a mesuage and twoo closez with their apportynances, lyeing within the paryshe of Bilburgh, called the Newehalle, in his demesne as of fee, and so being therof seised, the tenth day of Aprile, in the xijth yere of your most noble reigne (1521), or there abowte, dymysed and to ferme lett unto your saied oratour the saied mesuage and twoo closes with their apportynances, to occupie the same with their apportynances to your saied oratour from the saied tenth daye of Aprile unto the ende and terme of xxj^{ti} yeres than nexte folowing fully to be complete and ended, yeldyng and paying therfor yerely unto the saied Christofof Norton and to his assignes the some of viij^{li} of lawfull money of Englande at twoo festes in the yere, that is to saye, at the fest of Saynt Michel tharchangel and the Annunciacion of our Lady by even porcons; by force wherof your saied oratour entred into the premyssez and was therof lawfully possessed unto the xxv^{ti} daye of Aprile last past, in the xxvij^{ti} yere of your most noble reigne (1535), that one Antony Delayne of your saied cyte of Yorke, merchant, Thomas Basseworth of Raskell, in the countie of the cyte of Yorke, Antony Glover, Richard Yoman, Thomas Yoman, John Fladder, Thomas Annotsun, and dyuerse other persons to your oratour unknowen, with force and armys, that is to saye, with swordes, billes, buklers, and other defenseble weapons, the saied xxv^{ti} daye of Aprile last past, in the saied xxvij^{ti} yere of your most noble reigne, ryotously dyd entre into the saied mesuage and twoo closez with their apportynancez, by the commandement of one Jane Norton, wydowe, late wif unto the saied Christofof, and therof wrongfully dyd

expulse your saied orator owte of the same mesuage and ij closez in most riotous maner, and hym then and there sore wounded ; and also the saied riotous personz the saied mesuage and twoo closez with their apportynances from your saied oratour with force dyd riotously kepe, and yet doth, and will not permytte your said oratour to haue, enioye, and occupie the same, ageynst right and good consens, and contrarie unto your lawes and statutes therof made, and to the most pernicious and euyll example of other lyke offence in those parties, yf condigne punysshement herin be not provided in this byhalf. In consideracon wherof it may please your highnes, the premysses tenderly considered, to grant your graces wrytte of *sub pena* to be dyrected to the saied Antony, Thomas, Antony Glover, Richard, Thomas, John, and Thomas Annotson, commandyng theym, and euery of theym, by the same personally to appere byfore your highnes and your most honorable counsell at Westminster in your Sterre Chamber etc. (*Ibid.*, vol. vii, No. 150.)

No. XX.

To the kyng our soueraign lord.

In moste humble wise shewith unto your highnesse and moste noble grace your contynuall orater, Sir Robert Buttyll,^a clerke, that where as he was in corporall possession of a chaunterie, called Saynt Mary Chaunterie, in the parishe church of Saynt Helene of Hemmysworth in the countie of Yorke and in the diocese of Yorke, of the gyfte of Edward Stanley, knyght, lord of Mountegle, the verray patron of the said chaunterie, by letters of donacion to your said orator therof made, unto the tyme that on the xxixth day of Septembre, in the xij yere of your moste noble Reigne (1520), oon Sir Robert Fysshier, clerke, accompanied with dyuers evyll disposid persons of his affynyte, to the nombre of xij persons and aboue, which persons ben to your said orator unknowyn, forcibly and in riotouse

^a Nov. 9, 1540. Sir Robert Buttle, prest of the Laidie seruicie of Hemmysworthe. To be buried in the parishe churche of Hemmysworthe, and therfor I bequeathe to the churche nedes 3s. 4d. To the hie altare, for tithes forgotten, 12d. To Christian Shawe and Jennett Buttle my side gowne. To Robert Buttle my lede. To Mathewe Buttle and Jane Buttle a cowe. The residue to John Kempe, Robert Buttle, Christian Shawe, and Alice Buttle, whome I make my executors. In witnes herof Sir Richarde Wortley, parson, Rollande Skirroo, Sir Robert Rige, prest, and Edward Parker. Dec. 2 (1540). Proved by Kempe and Buttle, power reserved to Christiana Shawe and Alice Buttle (*Reg. Test.*, xi, 461d).

maner assembled theym in the said pariss church of Hemmysworth, and by the abbettement of the said Sir Robert Fysshier, with grete violence put your said orator from the possession of the said chaunterie and hym rigerously expulsid from thense, by meane of which expulsion in forme afforsaid the said Sir Robert Fysshier forcibly kepith the possession of the said chaunterie from your said orator. Please your highnesse to graunte a writt of *sub pena* to be directid to the foresaid Sir Robert Fisser, clerk, commaundyng hym by the same to appere before your highnesse and your honorable councell at your palice of Westminster etc.

[Signed :] John Orenge.

Endorsed : Buttyll contra Fisser, per W. Burbanke. (*Ibid.*, vol. vii, No. 188.)

No. XXI.

To the kyng our souerayn lord.

Humbely compleyneyth unto your highnes your daily orator and seruant, Jamys Burrowe, on of the yomen of your gard, that w[here] on Agnes Burrowe, cosyn to your saide seruant, late dwellyng in your cite of Yorke, intendyng to cum fro your said cite to the howse of your saide seruant by Charyng Crose, in your countie of Midd', for great trust and confidence that sche hade in on Robert Smyth, late of your saide cite of Yorke, tourner, reteynynd the saide Robert Smyth to conducte the saide Agnes to the howse of your saide seruant ; wiche Robert Smythe in the wey toward London at Samford [*sic*] hill in your countie of Midd', of his cruell mynd murderide the saide Agnes and toke fro her siche godes as sche hade than abowte her. And the saide Robert Smythe, not beyng content with his saide cruell dede, after the saide murder and roberis soo commyttied and don, retournyde to your saide cite of Yorke agayn, and ther brake the howse that the saide Agnes in her liffe dwellyde in, and felonysly toke iij gownes of the saide Agnes, and iij kertilles, a peticott of carsey, vj paire of schetes, iiij tabill clothes, viij towelles, iiij smokkes, vj aprons, xij elnes of lynyen clothe, a couereyng of a bedde with oder beddyng, as bolsters and pelowe, and certen bras and pewter, as discheis, sausers, candelstikes, and oder stuffe, a purse with fyn bedis, hokees, taches,^a and ryngges and oder jowelles in hit, a coffer with bonettes, kircheiffes, and oder fyn napery in hit, and

^a Buckles or fastenings.

moche oder stuffe of houshold, of the godes and catalles of the saide Agnes, felonyusly toke awaye. Wherapon on Robert Withfeld and Henrye Holme,^a nowe beyng shereiffes of your saide cite of Yorke, arestide the saide Robert Smythe for the saide felon and murder, and toke from hym great parte of the saide godes. And after the saide scheriffes wilfully and felonysly sufferide the saide Robert Smyth to escape and be at his fre liberte, by reason wherof the saide heynes murder restithe yett unpunysthede, to the perilous example of other like offenders. In consideracyon wherof it may ple[ase] your saide heighnes of your moste habundant grace and goodnes to directe your most honorable letters of privy seale . . . to the saide scheriffes, wherof Roberte Whitefelde is nowe in your saide cite of London, commaunddyng them by the same to appierr bfore your saide heighnes and the lorddes of your moste honorable counsell etc.

Signed: John Fitz James.

Endorsed: Let the parties within complained of be summoned by writ of privy seal to appear before the King and his Council at Westminster in the quinzain of Easter next under a penalty of 100 *li.* each. By command of the reverend father and lord, the lord legate "a latere," cardinal and chancellor of England, xij Feb. (*Ibid.*, vol. vii, No. 207.)

Memorandum that wher as by rumor it was shewed in Yorke by oon John Body, that one Robert Smyth, turnour, had slayne one Agnes Borowe, which John Body wolde not be bounde nor fynde suertie that the said Smyth had slayne hir, but he saied that James Borowe wold say and prove the same. And for soo muche as nother the said John Body wolde be bounde to proue the felonye and murder, as one of the shireffes affermith, nother the said James was ther to proue nor to fynde suertie to proue the same, the shireffes of Yorke, nother eny other, were bounde by the lawe for to take the said Smyth, turnour, nor neuer tooke hym, that notwithstanding some of the goodes of the said Agnes Borowe hath come to the handes of the said two shireffes, or to the one of them, for the which the said James Borowe by informacion or otherwise hath caused proces in the king our soueraigne lordes name to be made against the said shireffes. And for so much as tharchideacon of Richemond^b and Sir Richard Rokeby, knight, hath herd the premisses by deliberate examynacions, and that

^a Robert Whitfield and Henry Holme were sheriffs of York in 1519.

^b Thomas Dalby.

to them it can not appier (as yet) that eny other mattur is bitwixt the said parties, but oonly the goodes of the said Agnes Borowe, and that noo profe yet comyth that the shireffes hath offended the king herin, it is thus agreed by the said parties that the said James Borowe by a commission *ad coligendum* shall sue to the ordynarie to call all parties, as well the shireffes of Yorke as other bifore hym by his ordinarie power, and suche goodes as can be proued that ony man hath, the said shirefes or other, of the said Agnes Borowe, shalbe delyuered to the said James or his deputie, according his commission direct to hym for gathering the said goodes, and the said James to be satisfied therwith according to right. In witnesse herof the said Archidiacon, Sir Richard Rokeby, knight, hath subscribed ther names the xxviijth day of the moneth of Aprile, anno regni regis Henrici VIIIⁿⁱ xij^{mo} (1520).

Signed : T. Dalby.

R. Rokeby.

(*Ibid.*, No. 208.)

No. XXII.

To the kyng our souereign lord.

In his moste humble wise shewith unto your most excellent hightnes your pore subiect and dayly orator, Myles Burton of your countie of Yorke, yoman, that where one Rouland^a Place of your seid countie, esquyer, was seassed in his demean as of fee of and in a tenement and certeyn grounde, called Place Feld, lying in the town and feldes of Danbye Foraste^b in your seid countie of Yorke, and so beyng seassed in the xiiij yere of your most noble reign (1522-3) dyd lett and demyse the premisses unto one Robert Rudd, lat of Danby, in your seid countie, deceassed, to have and to holde to hym and to his assignes or executors fore terme of xxj yeres, as by indenture therof maid betwene the seid Rouland Place [on] thone partie and the seid Robert Rudd on the other partie more planely

^a John Place, whose *Inq. p. m.* was taken at York Castle on Oct. 24, 6 Henry VIII (1514), died on Aug. 31, in that year, leaving his son and heir, Roland, aged 19 and upwards (*Ex. Inq. p. m.*, ccxviii, 6). Roland Place died on Sept. 20, 1540, seised of lands in different places in Richmondshire, and also in Eggton, held of Francis Salvyn, esq. His son and heir, George, was aged 24 (*Ch. Inq. p. m.*, lxiii, 46). Danby-in-Cleveland was in the Bruce fee, not the Mauley fee, held by Salvin, but probably the term Danby Forest was applied somewhat loosely so as to include Egton. This property had come into the possession of the Places by the marriage of William Place of Scalby and Emma, dau. and heiress of John de Lelam (*Add. MS.*, 26718, fo. 203). George Place, who married Elizabeth, daughter of Christopher, Lord Conyers, died without issue, and was succeeded by his brother Christopher (*Durham Visitation Pedigrees* (Foster's edition), p. 258).

^b Danby-in-Cleveland.

apperith. By force of whiche leas the seid Robert Rudd dyd peassibly hold and occupie the premisses with ther appurtenances by the space of vj yeres and more. And the said Robert, so beyng possessed of the premisses, aboute a viij yere past or ther aboute, dyd make and declare his last wyll and testament, and by the same amonges other wyllled that one Thomas Northfolke of the same countie, yoman, shuld have the remaynne of the seid leas which was to come after his decease, to have, hold, occupie, or sell the same and euery parcell therof to the use, behofe, and profitt of the children of the seid Robert Rudd, and after immediatly the seid Robert dyed. After whose death the seid Thomas Northfolke, by vertue of the seid devyse, entred into the seid tenement and other the premisses with ther appurtenants, and therof was peassibly possessyd, and that occupied by the space of vij yeres and more, to thouse and behof of the children of the said Robert. And after the seid Thomas, for the some of iiij *li.* sterling to hym paid by your seid orator to thuse aforeseid, the same premisses with ther appurtenants dyd graunt unto your seid oratour with all his interest and title that he hadd in or to the same, by reason of the seid devyse or otherwise. By vertue wherof your seid orator entred into the seid premisses and that peassibly occupied unto on William Gryndon of your seid countie, yoman, of his extert power and myght, with oute ony lafull title or just interest, aboute halfe a yere past, haith in forcible and riotous maner, that is to say, with the nombre of iiij persons to your oratour unknowen, with vepyns defensyue, as swerdes, buklers, and other veipons, entred into the premisses, and to the same in suche riotous and forcible maner yet doth kepe and deteiyn contrary to your lawys. And for a much most drad souereiyn lord, as the seid William is a man of grett substaunce, abilite, and riches, and also great frendes and alied within the seid countie, and your oratour very pore and havynge few frendes, wherefore he is withoute remedie to come or opteyn to the seid premisses, oneles your most gracious fauor to hym be shewed in this behalfe. In consideraton wherof may it pleas your most excellent highnes of your most abundaunt grace, the premisses tenderly considered, to graunt your gracious wrytt of *sub pena* to be derected unto the seid William Gryndon, commaundyng hym by the same to appere before the lordes of your most honorable Counsell in the Star Chambre at a certeyn day etc.

[Signed :] per Cholmeley.

(*Ibid.*, vol. vii, No. 209.)

No. XXIII.

Moste excellent, most noble prince, pleas itt your most gracious highnes to be aduertised that the xxijth daye of the moneth of Septembre, in the xxvth yere of youre most noble reign (1533), I, John, thabbott of youre monasterie of Byland, of the ordre of Citeux, and in the dioc' of Yorke, receyvyd by the handes of my father, thabbott of Ryvalx, of the same ordre and dioc', youre most gracious letters of commission, sealed with the seall of the office of youre signatur, thus owtward directed, To oure trustie and welbiloued in God the abbote of Funtannes and the abbot of Byland, and to either of theym, thus intituled in the highest mergyn within, By the king, and there bifore that signed by your grace, as by and in the same doth appere, conteynyng this tenor insewing. Trustie and welbiloued in God we grete youe well. And where as we at the humble pursute of oure righte trustie and right intierly welbiloued cousyn, therle of Rutland, of late directed our letters of commission unto youe, thabbott of Funtaunce, and others, auctorisynge theym by the same joyntly and seuerally to repair unto the sayd abbay of Ryvaulx, being of the patronage of oure sayd cousyn, founder of the same there, to inquirye in dew forme of the liffyng and ordre of the abbot of the same monasterie ; and in case they found hym of misordre and lyvyng, then, by the ordre of the law and vertue of oure sayd commission, to depose hym. Wherupon foure of the same oure commissioners according to the tenor of oure sayd commission haue proceded, and according to the dew course of the lawe, as we be enformed and as by there wrytyng appereth, deposed the sayd abbott, by reason wherof the sayd monasterie standith now voyde of an abbote. In consideracon wherof and for the well of the sayd monasterie we woll and desyre youe to repaire unto the sayd monasterie to procure, by all the lawfull means and wayes ye can, the convent of the same, to proced with the licence of our sayd cousyn, theyr patron, to the election of a new abbote, and to certifie unto us all that ye and the sayd covent shall haue doon therin, for that we moche desyre the goode establishement of the sayd monasterie as we doo of all others. And for the spedy accomplishment wherof we woll and desyre youe to use your diligence, lernynges, wisdoms, and good dexteritie, as we specially trust youe. Yeuen under oure signet at oure manor of Greenwich, the xijth daye of Septembre, the xxvth yere of oure reign. By auctoritie and vertu wherof (my fader of Funtaunce

beynge othirwise occupyed and in journey by youre grace is commaundement to the election of a newe abbote at Combermeyr), did repaire personally, the xvth day of this instant moneth of Octobre, for the spedy accomplishment of your gracious pleasour, unto your monasterie of Ryvaulx forsayd, where with all diligence, lernyng, wisdome, and dexteritie, that in me is, in the presence of Brian Lewty, notary, and of dan' Robert Harom, prior of the sayd monastery of Biland, and Dan' Thomas Wenseley, my chapleyn, witnesses therunto by me called and required, did procure by all the lawfull means and wayes I couth the convent of the same to proced to election of a new abbote, and theym, beyng in nombre xxiiijth, secretly and oon by oon, did call before me, the abbote beyng absent, and then examynyng by inquisicion according to the statutes of my religion, exortyd, aduertysed, and induced as byfore to proced to election according to the tenor and effect of youre sayd grace is commission, soo that none of theym did know what was the answer of the other. Whiche all and euery of theym sayde and deposed as hereafter foloyth. DAN' WILLIAM STORROR, supprior of the monastery of Rivaulx, examyned, sayth that he neyther woll ne may procede to any election of a new abbot, for asmoche as the sayde monasterie is not vacant, by cause hys fader abbote, Dan' Edward Kyrkby, was not deposed, nor is lawfully, accordyng to the rewlls and statutes of there religion. DAN' WILLIAM YERESLEY, monke in the sayd howse and monasterie, examyned, sayth that for asmoche as his fader abbote was deposed *secundum leges* as they sayde at that tyme that satt, he thynkes that they shuld proced to a new election. DAN' STEPHAN BURGHT, monke of the bak-hous in the sayd monasterie, examyned, sayth that itt is neyther hys wyll ne mynd to procede to any new electon, for because hys father abbote is abbot of Ryvaulx and not deposed by any right lawe, but agaynst the rewlls and statutes of there religion. DAN' ROBERT STANDROP, monke of the brewhous, examyned, sayth that he wilnot procede to any election, for why hys fader abbot is abbote there, and was not deposed nor put downe by right, nor the rewlls nor statutes of there religion. DAN' ROBERT PYKERING, sellerer, exhorted as is aforesayd, sayth that hys conscience wolnot suffer hym to proced to any election, for asmoche that of hys verray knowlege hys fader abbot is not put downe by right nor according to the statutes and rewlls of there religion. DAN' RYCHARD SCARBURGH, monke, examyned, sayth that he ys content to procede to a new election. DAN' THOMAS YAROM, procured

as is abovesayd, sayth that he dissentyth to any new election and so intends to doo, except that hys fader abbot were deposed, as he is nott, according to the rewlls and statutes of our religion. DAN' RICHARD ALUERTON, femast',^a procured as is aforesayd, sayth that he wylnot proced to any election, nor may, for bycause hys fader abbote is not deposed of right according to statutes and rewlls of religion. DAN' JOHN MALTON, procured as afore is sayd, sayth that he thynkes that hys late fader abbot was deposed *secundum leges*, and therefore it is hys mynde to goo to an election. DAN' THOMAS RICHMOND, procured as afore, sayth that he doth consent to a new election by the vertu and strength of the kynges commissionars. DAN' ROGER WHYTBY, procured as is abovesayd, sayth that he consentes to an election to be had accordyng to the will of hys founder. DAN' RYCHERD RYPON, procured as afore is sayd, sayth that he wyll neuer consent to a new election for asmoche as fader abbot is not deposed nor rightfully put downe, but utterly against the rewlls and statutes of there ordre and religion. DAN' WILLIAM BEDALL sayth that he consentes to haue a new election. DAN' RICHARD GYLLYNG sayth that he may ne woll consent to haue an election, for hys fader abbot is not lawfully deposed bott against the statutes of their ordre and religion. DAN' HERRY THRYSK sayth he wol not consent to proced to any new election, for there fader abbot was and is uniustly dealt with, and nothing after there rewlls of there religion. DAN' JOHN LYN sayth that he woll consent to the election of a new abbot. DAN' WILLIAM TANFELD sayth that he woll not procede to any new election for his fader abbot is wrongfully done unto and against the rewlls of your religion, and that knowith many a man as he sayth. DAN' JAMES GUYSBURN sayth that he wolnot proced to a new election for hys fader abbot is not put down, nor the monastery vacant according to the rewlls of religion, wherunto this deponent sayth he was professed and sworne. DAN' CRISTOFER HELMYSLEY sayth that he woll not graunt nor consent to any new election, for hys fader abbot is not put down by right of there religion. DAN' OLYVER BROUGHTON sayth that he wyll not procede to any new election, for bycause hys fader abbot ys nott lawfully deposed not put down, but against the ordre of there rewlls and religion. DAN' WILLIAM FARLYNGTON sayth that he wilbe

^a This word does not appear in the *New English Dictionary*. Unless a clerical error for fermarer, the monk who presided over the farmary or infirmary, it may be the monk who looked after the fee or cattle,

obedient to the fathers of the religion, and as they procede to an election so wyll he, as he sayth. DAN' MATHEW AMPLE-FORTH sayth that he thynkes the abbot was not lawfully deposed accordyng to there religion, but he sayth he woll conferme hym to the kynges pleasor and the founder. DAN' WILLIAM DARNETON sayth that he woll not procede to any election for asmoche as his fader abbote is not rightuously put down, but most shamefully doon to that euer was any religious abbott, and against the rewles and statutes of there religion. Whiche all and singler the premissey I, John, abbot of Biland foresayd, most humbly, lowly, and mekely doth certifie unto youre most noble grace and to youre most honorable Counsaill by these my letters of certificate, subscrybed with myn own hand and sealed with the seall of myn office, and in ferther testimony herof haue caused the sayd Notary to consigne and subscribe the same, and soo as ferre as in me is I haue executed your sayd most gracious commission and commaundement. Yeven the daye, moneth and yere above wryttyn.

Appended is the abovesaid certificate of Brian Leuty.

Signed by me, John, abbot of Biland, with my own hand.

Endorsed : To the kynges maiestie and his moste honorable counsaill. (*Ibid.*, vol. vii, No. 217.)

No. XXIV.

To the kyng our souereign lord off Yngland and Fraunce, deffender of the faithe, lord of Yerland,^a and in erthe suppreme hede of the churche of Yngland, and unto your moste honorable Councell.

Humblye sheweth and commplenyth unto your graces highnes your dalye orrator, Thomas Cavuerlay^b off Sharllesston ner Pontfret, in the countie of Yorke, and Johan, his wyfe, your poer orratrix, some tym wyfe off Robert Flemyng^c decessyd, where as one Charlles Jakson^d of Snyttall, gentilman, and Richard, his son, with force and armis and by thaire

^a By the statute of 26 Henry VIII, cap. 1, passed in 1535, it was enacted that the king should be taken, accepted, and reputed the only supreme head in earth of the Church of England, called *Ecclesia Anglicana*.

^b Probably Thomas, fourth son of Sir William Calverley and Alice Savile, who was alive in 21 Henry VIII and 5 Elizabeth.

^c April 18, 1525. Administration of the goods of Robert Flemyng, of Sharlestone, par. of Warmefeld, esquire, granted to Joan, the relict, and Joseph Ughtrede, York, gent. (*Reg. Test.*, ix, 334).

^d There is a pedigree of Jackson, of Snydall, in the parish of Normanton, in *Glover's Visitation*, p. 308, which shows that Richard Jackson was a younger son,

extrot powerres, haith entter in and oppon sertayn landes and tennamentes of your poer besecherres, lyng in Sharllesston, too the yerly valowe of xl^{ti} markes of renttes, and so wrongfully hayth holdyn it and kepte it the space of xvj yerres, contrarry your graces laues, right or conciens, in so moche as your graces orratrix hayth persewyd and foloyd your laue euer sythe her first husband departede to the mercye of Gode, the wiche forsaid land and tenementtes was laufully gyvyn in feoffamentt for term of here lyffe, as it hayth beyn shewyd and provyd be for your graces the lord chauncellor of Yngland and other of your most riall counsell in the Ster Chaumbre, and wiche deide is redye her to be shewyd befor your graces highnes and honorable Councell. And where the same Charles Jakson, Rychard, his son, hayth apperryd in the said Ster Chaumbre wyth other thair part takerres, one Robert Whyttakerres, John, his son, and Wylliam Mylner [?] of Sharlleston, and oder mo unknown persons, wiche grevoslye and riotoslye dyd stryk and wound your said poer orratrix in here hede, so as she was in perell of deth and is now at this day ston blynde by reason of the same gret strokes, and is here redye present to be shewed be for your graces hignenes. And ferthermor, gracious souereign lord, all wiche matters was putt unto the order of my lord chauncellor with oder your graces Councell in SterChawmbr, and thay mayde a decre of laite tym wiche was dyrect unto Sir Xpofer Gennye,^a one of your Jwstice of Assiec, and unto John Hynde, your graces sergiant and Jwstic of Assiec, where as your saide poere orrator and his wyfe was redye at Yorke and other places at all tymes personally to abyd and fulfill thay jwdgeamenttes in the premysses accordyng to the lord schawncellor commandmentt. And the same Charles Jakson, Richard, his son, and their parttakerres wold not apper in no wyse, bott by extrot power holdyth and occupyeth all the premysses to the utter imppoueryshment of your said poer bedfolkes, and conttrary your graces layes, right or conciens, the wiche arrerages of renttes extendyth unto six skoer poundes xij *li.* and vijs. sterlyng, and in costes and charges be syde a hundreth merkes sterlyng. Beschechyng your graces highnes by the way of petye and charryte to grauntt your most dreyd comandmentt to the sam Charles Jakson, Richard, hys son, and thay parttakerres, to make redye aunswer befor your graces highnes, or elles thay to suffer your said poer orrator and his wyf peassably to haue, hold and occuppye all and euery the premysses accordyng to right, jwstice, etc. (*Ibid.*, vol. viii, No. 32.)

^a Sir Christopher Jenney, knight, a judge of the Common Pleas, 1532-42.

No. XXV.

xv Junii, anno xxxv (1533).

A commission is awarded by my lord Chauncellor and my lord Chamberlayn, upon hering of the matter in variaunce bitwen my lord archbisshop of Cant[erbury] pl', and ladye Conyers and ther feoffes to the late lord Conyers, decessed, def', to be directed unto James Foxe, gent., auctorizing hym to collecte all suche the rentes, fermes, issues, and proffites, being behynd and unpaid by the tenantes and fermers of the manors of Est' in the countie of york, by ye space of ij yeres at Mich' next, and the same soo collected and rec' savely bring upp into the Court of the Chauncery xv^{aine} Mich' next, ther to remayne till yt be otherwise ordred by my said lord Chauncellor.

Underwritten is an unsigned certificate of the enrollment of the above at the request of — Metcalfe, esquire. (*Ibid.*, vol. viii, No. 95.)

No. XXVI.

To the king our soueraigne lord.

In moost humble wise complaynyng sheweth unto your gracious highnes your subiectes and dailly bedmen, the tenauntz and inhabitauntes of the towne of Carleton^a in your countie of York, that where oon Cutbert Marshall,^b oon of the chanons

^a Carlton Husthwaite, south-east of Thirsk.

^b Jan. 18, 1549-50. In Dei nomine, Amen. I, Cuthbert Marshall, clerke, prebentarie of Vst'wait in the metropolitayne church of Yorke, hoill of memorie and seke of bodye, a great and a meserabell synner, consedrynge the mutabilitie of my lyfe, also the manyfolde daungers of the same, ferynge the justice of God, and the soden stoke [*sic*] of his hande; therfor, beinge penitente and sorye for my sennes, and wellynge to despose suche thynges as I haue to Godes plesure, and to the helth of my soule, maketh my tastement and laste well in maner and forme folowyng. First, I bequith my soull to Almyghtie God, whome I moste humblye beseche of his infinite merce, and for loue of his sone Jesus Christe, to graunte me remyssione of my synnes, whiche synnes I vterlye forsake, and take my holyc to his mercie. Secundlie, I will my bodie to be buried within the metropolitayne church of Yorke, nygh to the grave of the late archebusshope Lec, and behinde the same grave, yf that God shall so dispose that I dye at Yorke; and els my bodie to be buried in suche place as God shall call me to his mercye, accordynge to the descrecione of my executors. Therdlye, I gyve and bequithe all my goodes, movabels and vnmovabels, what soeuer they be (other than thes heres after bequested), to my nevewes, Sir Richarde Marshall, preste, Cuthbert Marshall, and Cuthbert Marshall [*sic*], my executors. First, I will that my obsequies be done accordynge to the tyme; and, yf I shall be buried at Yo[r]ke, to pay for the same to euerye cannon and dignitie [*sic*] beyng presente vs., and to euery vicar presente ijs., to the executor officie ijs., over and aboue his parte befor limited. And I will that a sermone be maide to the peopell to exhort

of the church of Seint Peter of York, is seased of and in xxiiij^{ti} mesuages with thappurtenauntz in the towne of Carleton aforesaid in his demeane as of fee and right, and in the right of the church aforesaid, and he and alle those whoos estate he hath in the said mesuages tyme out of mynde of man haue used to haue comon of pasture in the woodes and mores called Langalle, and pastures and feldes of Thurkilby,^a in the said countie, for them and their tenauntz at wille inhabiting in the said towne of Carleton, for alle maner bestes and catalles; and accordingly your said pouere orators haue takyn the said comon by the feydyng of their bestes unto nowe of late, aboute the xx day of January last past, that oon John Dawney, esquier,^b of his covetous mynde and greate pouere, hath dykyd, hedged, and inclosyd cc acres, parcell of the said wood and moore, called Langalle, and not left sufficiaunt comon in the said wood and more for the said Marshall and his tenauntz at wille, by reason wherof the said Marshall for hym and his tennauntz at wille cannot haue nor use the comon as they haue accustomed to doo. And also John Dawney hathe dyuers and many tymes, sens the said wood and more was inclosed, caused dyuers of his tennantz and seruantz, to the nombre of ten persones or thereabout, with force and armes, as well by nyght as by the day, to watche and kepe the hedges of the said inclosure that none of your said subiectes and inhabitauntes shall take and use their comon as they haue don in tyme past according to their right and title, and maneseth and threteth dyuers of your said subiectes to bett them, oonles they wille suffer the same inclosure to contynewe. In consideracion wherof it may please your highnes of your moost habundaunt grace

theyem to lernne to dye, and so to lyve that they may allway be redie to die, to whome I give for his laboure vjs. viij*d*. He mentions his aunt, Jenet Davye, his uncle, Leonard Marshall, money to be devided amongst the Marshalls of Hedlington that were householders, and the poor of Whitborne and Cledon; 13*li*. 6*s*. 8*d*. to be put in the custody of Sir Richard Marshall for keeping John Weghell at school four years, which was supplemented by an additional 10*li*. to pay for his exhibition two years more. "To the comynaltie of Morpeth, to dysspose for the common welth of the same towne, 10*li*." (*Reg. Test.*, xiiia, 39*d*.)

^a Thirkleby.

^b The owner of the adjoining parish of Sessay, still in the possession of his descendant, Lord Downe. Son of Sir Guy Dawney and Jane, sister and heiress of Guy Darell of Sessay. He married in 1514 Dorothy, dau. of Richard, Lord Latimer. His *Inq. p. m.* was taken at Thirsk on April 17, 7 Edward VI (1553). He died on March 10, 1552-3. His son and heir, Thomas, being 38. On Sept. 22, 25 Henry VIII (1530), Sir John Dawney, knt., had conveyed the manors of Brodsworth and Cowick to Francis, earl of Shrewsbury, then Lord Talbot, John Newell, Lord Latimer, and others, on the occasion of the marriage of his son, Thomas, and Edith Darcy (*Ch. Inq. p. m.*, xcviij, 13).

to calle before your highnes the said John Dawney and cause hym to awnswere to the premisses, and also to cast downe the said dyches and hedges that your pouere subiectes may use their comon peassably as they haue don in tyme past. And this at the reverence of God and in the way of charite, etc. (*Ibid.*, vol. viii, No. 115.)

No. XXVII.

Haunswere of Sir Robert Constable,^a knyght, to the bill of complaynt of Gervalx Cawod.

The sayd Syr Robert saythe, as to all the cattall supposed to be taken by the sayed bill in the sayed parke callid Houeden Parke, expressed in ye same bill, that longe tyme befor the takynge of the saied catell that ye reuerend fader in God Cristofer, layt bysshope of Duresme,^b was seassed of and in ye mannor of Houeden in the countye of Yorke, wherof ye sayded (*sic*) parke than was and yet is parcell, in his demean as of fee as in the right of his sayed busshopryke, and soo beynge seassid, by hys dede undre his seall and confyrmed by the chapytor seall of Duresme aforsayd, gave and graunted unto ye saied Sir Robert for terme of his lyf thoffice of ye stuardeshipe of the sayed mannor, with an annuell rente of a xj markes by yere for thexcercysinge of ye same office, with a clause of distres expressid and conteigned within ye saied grauntes for nonpayment of the same annuell rente at ye festes and dayes lymtyed to be payed in ye same grauntes, as in ye sayed grauntes more at large doythe appere. By vertue of whiche graunte the sayed Sir Robert was, and yet ys, seassid and hauue occupied the sayed office accordingle. And for asmuche as ye sayed annuell rente of a xj markes haith bene withholden and deteigned, and not paied to ye saied Sir Robert by all ye space and tyme of the layte Cardinall, beynge busshope of Duresme,^c the sayd persons named in ye saied bill of complaynte, with odere of his seruantes to ye nombre of xiiij

^a Sir Robert Constable, of Flamborough, was attainted for his share in the Pilgrimage of Grace (*Memorials of Fountains Abbey* (Surtees Soc., xlii), i, 273*n*). The grant of the office of the stewardship of the manor or lordship of Houeden and Houedenshire was made by bishop Bainbridge to Sir Marmaduke Constable, knt., and his son and heir, Robert, for their lives, with a fee of eleven marks a year. The next steward was Thomas Cromwell, Lord Cromwell (36*th* and 37*th* Reports of the Dep. Keeper of Public Records, 81, 3).

^b Christopher Bainbridge, bishop of Durham, Nov. 17, 1507 to Sept. 20, 1508.

^c Thomas Wolsey, bishop of Durham, 1525 to 1529. He died Nov. 29, 1530.

persons or ther aboute, by the commandement of ye saied Sir Robert, the sayd xxix ti day of Marche laste paste, in peaseable maner entred into ye sayed parke, the yattes yerof note beyngeloked, as his sayd seruantes dyde informe hyme, and than and ther tooke and distreigned ye catell expressid in ye sayd byll of compleynt soo taken within ye sayd parke for non payment of ye sayed annuell rent of xj markes, beyng behynd and unpayde by ye tyme aforesayd, and from thens in peaseable maner dyde dryve all ye sayd catell to ye sayed maner of Flamburgh, beinge within ye sayd countie of Yorke, as well and lawfull was for you to doo, without that they or anny of them, to ye knowlege of ye same Sir Robert, with ryote or force brake opene the loke and yat of the sayd parke, or that they chaced oute of ye same parke anny dere, or anny calves were distroyde by reason of dryvinge of anny of them, or that they to the remembraunce sawe anny calves ; and as to the comynge of ye sayd Sir Robert to ye sayd parysshe church of Houeden aforsayd the Tuesday in Ester weyke, the sayed Sir Robert saythe that for asmuche as yt was complened to ye kinges commissioners in thoo parties that ye sayed Gervax Cawod hade done and commytted dyuers wronges and extorcions within ye sayd lordship of Houeden, also the sayed Sir Robert layd matter by wrytinge for the kinge and other weis unto his charge, by reason wherof the sayd commissioners apoynted that Sir Petur Vavasour, knyght, William Bapthorpe, and John Aske, esquiers, schuld be at Houeden aforsayd the sayd Tuesday in Ester weyke, ther to enquire of ye wronges and extorcions aforesayd ; and for asmuche as ye sayd Sir Petur Vavasour and thother appoynted dyd come theder one the same Tuesday in Ester weyke to thentent byfor rehersid, the sayd Sir Robert, herynge of ye sayd appoyntmente, trustinge to hauue seen reformation in and for ye saied wronges and extorcions, and also to hauue provid suche matter for ye kinge and otherwyse, as he had layd to his charge by wrytinge, came thedere the sayd Tuesday to ye commissionerz befor named to thentente befor sayed ; and for asmuche as the sayd Sir Robert at his comynge thedur perceyvyd that they hadd non commissione but onely to enquire of speciall fray ther commytted, went unto ye church ther and hard evensonge and frome thens went home to his owne hows in peaseable maner, without that the sayed Sir Robert in anny ryotouse maner came to ye saied towne of Houeden to and for anny suche purposse or intente, as in ye same byll is slanderusly surmytted, or that the same Sir Robert dyd than and ther unlaufully

maneshe and thrett to mayhem and slee the sayd Gervax, or at that tyme to distreigne anny of ye goodes or catelles of ye sayd Gervax for tharrerages of ye sayd annuell rente of a xj markes, and yf anny of ye sayed catell or beastes or anny of them be hurte by ye same Sir Robert, he will make suche recompence therof as this courte wyll adward, or that any suche calves be peryshed or lost, as in ye sayed bill is untrewly surmytted, or that ye sayd Sir Robert haith thretenyd or manessed anny tennante or fermers of the same soo that they, for fere of ye sayd Sir Robert, dare not usse or occupy the sayd fermes, or that the sayd fermes for anny suche cause to the knowlege of ye same Sir Robert be unoccupied for lake of fermers in maner and forme as in ye same bill is untrewly surmytted. And as to ye takinge of ye sayd odere catell, supposed by ye sayd byll to be takene and distreigned at Barnhill Graunge,^a named in ye begynnyng of ye sayd bill, the sayed Sir Robert saithe that for as muche as the sayed place of Barnhill Graunge ys within the sayed lordships of Houeden and holdon of the same lordshipe by certeyne rent and seruice, and soo within the fee of the lord of ye same maner, the sayd Sir Robert, extymynge and thynkinge that ye sayd place called Barnhyll Graunge had beyne within his distres, for lake of payment of tharrerages of the sayed annuell rent of a xj markes, dide commaund the sayed persons in the saied bill named, with odere to ye nombre of x persons or ther aboutes, in peaseable maner, unto the same place ther to distreigne for the sayed arrerages, by reason wherof the saied persons, thynkinge the sayd commandement good and lafull, wente unto the sayed place the day and yere in the sayed bill of complaynt surmytted, entendinge no breche of the kinge our soueraign lordes peax, and then and ther tooke and distreigned the sayed viij small oxen, vj draught oxen, iiij mylche kyen, on stoned stage, ij mares with folle, and viij yonge coltes, expressed in ye sayd bill of complaynt, for parte of tharrerages of ye sayd annuell rent of xj markes yerly than beyng behynd and unpaid, and the same distres dyd leyde and dryve frome thens unto Flamburgh aforsayed, without that anny of ye sayd persons befor named went unto ye sayd place to bete or sle ye saied compleynantes, or dyd threaten the chyl dren and seruauntes of ye same compleynant, or that they dyd brake ye doures of the houses of the sayed graunge, or dyd distroy, spole, or sawe anny suche hepe of ottes mentioned in ye said bill, or chaced or drayf away anny of ye sayd calves, as in the sayd byll is

^a North-west of Howden.

untrewly surmytted, and without that the sayd Sir Robert, when ye sayd catell so distreigned were brought hoom nygh unto his house, came furthe of his house to see ye sayd catell, reyoysinge and saynge that he was xx^{ti} yeres yonger in his hart for that deid doynge, or that he than sawe ye sayd catell or anny of them, as also in ye sayd bill is untrewly surmytted, for he than ley sore seke and coulde note well stere or remove hym self, nor yet came furthe of his house of viij dayes afture, as the countrey ther well knowythe, and without that the sayd Sir Robert dyde euere entennd to dysobey anny lawfull replevyn or other lawfull processe of the kinges lawes in and for thopteynyng of the sayd catell in manere and forme as the sayed bill of compleinte is untrewly surmytted. All whiche matters the sayed Sir Robert is redy to evere as this honorable courte wyll adwarde hym and praythe to be dymysed with his reasonable costes for his wrongefull vexacion in this behalf, etc.

In his replication Gervays Cawoode denies the truth of Sir Robert's answer, and says that Sir Robert never had any lawful patent of the said stewardship ; if he had, the same was clearly void in the time the late lord cardinal was bishop of Duresme for the manifold offences and misdemeanours by Sir Robert wilfully done contrary both to his trust and to the liberties of the said bishopric ; moreover, if the defendant had such a patent, he ought not to have distrained for any arrerages of the said fee grown due in the time of any of the predecessors of the now bishop, for after his consecration Sir Robert desired him to suffer him to have the said office, faithfully promising that he would never demand any of the arrerages of the said fee, since which time the said bishop has suffered the said Sir Robert to exercise the stewardship.

Interrogatories (in duplicate) in the above suit.

Among the questions put to the witnesses are :

Whether Thomas Metham,^a gent., was lawfully seised in his demesne as of fee of a messuage and lands in Houeden, called Barnehill Grange ?

Did Metham demise the premises about three years since to Gervays Cawodde ?

Did Sir Robert Constable, about 19th March last, send Christopher Constable, gent., Warren Skargyle, Christopher Skayffe, Rauffe Ryvelaye, and other of his servants, to the number of thirty, to make distraint at the said grange ?

^a The Methams of Barnhill were a younger branch of the Methams of Metham. There is a pedigree in the *Visitation of Yorkshire* in 1584-5, p. 106.

Whether Sir Robert would not suffer any replevin to be made of the cattle driven away from Barnehill in the liberty of the Bishop of Durham, but caused them to be driven to his manor of Flamborough, about 30 miles distant from Houeden?

Whether he wrongfully claimeth such franchises within his said manor, that he will not suffer any precept or writ to be there served, contrary to the mind of the said Sir Robert?

Whether about 29th March last, Sir Robert's servants wrongfully entered into the farmhold of the said Gervays at Houeden, called Houeden Park, and there broke up the gate, etc.? (*Ibid.*, vol. viii, No. 205.)

No. XXVIII.

To the kyng our soueraigne lord.

In moste lamentable and pityous manner compleyneth unto your highnes your faithfull pore subgett, James Carter and Agnes his wyff, and Thomas Layton and Isabell his wyff, that wher they be seased of and in on acre of arrable lond customarye accordyng to the costume of the mannor of South Dalton in the countie of York, with appurtenaunces in Chery Burton in the seid countie of York, called Coke Merys, in ther demeane as of fee, or in the ryght of the seid Agnes and Isabelle ther wyffes, and so therof beyng seased in the xxiiijth yere of your moste noble reyn (1532-3), gracyous soueraygn, the seyde acre of lond then beyng sowed with good whete, whiche whete, blessed be God, dyd growe and prosper, tyll hit by the naturall course of the yere was redy to be ryped, wherfore, gracyous soueraigne lord, your seyde orators entendyng to haue and take the benefytt and profytt of the seyde whete for ther lyuyng and sustentacon, as lafull was for them to doo, reped grett parte of the seyde whete and bounde hyt in sheves and made xxx stoukes therof, euery stouke conteynyng xij sheves accordyng to the custome of that countrey, and the resydewe entendyd to haue reped and bounde in sheves and made in stoukes and to haue caryed home to ther houses. So hytt ys, moste noble soueraigne lord, that on John Lawthrop, William Bynkys, Robert Lawthrop, William Paton, and John Burne, of ther malycyous and ryotous myndes, with clobbes, stauers, swerdes, knyues, dagars, and other wepons invasyves, with force & armes, contrary to your lawes, soueraign lord, aboute the Mondaye seyneta next after the fest of the Assumpcon of our

^a Seven night.

blessed lady in the xxvth yere of your gracyous reyne (Aug. 15, 1533), the seyde whete so beyng reped and also then beyng uppon the seyde acre of lond, made in sheves and stowkys as ys beforeseyd, the resydewe stondyng and growyng uppon the same acre of land, ryoutously entred into the same acre of lond and the seyde whete soo reped and made in sheves and stoukes, as ys before seyde, toke and caryed away, and the resydewe of the seyde whete stondyng and growyng uppon the seyde acre of lond reped, toke, and also caryed away. And furthermore, honorable lord, the aboueseyd malefactors and ryotous persons, with ther wrongfull, unlawfull, and ryoutous acte, don and comyttyd by them not contented, of theyr farther ynyuryous and ryoutous manner made an assaute with ther aboueseyd wepons uppon the seyde James Carter, one of your compleynautes, and hym then and ther bete, wonded, and hym putt in yeopardye of his lyff, contrary to your lawes and peas, soueraigne lord, and contrary to all ryght and good consyence. In tender consyderacon wherof, gracyous soueraigne lord, hit maye pleas your highnes, the premysses tenderly consydered, to graunt to your seyde pore subgett your moste gracyous seuerall wryttes of *sub pena* to be dyrected to the seyde John Lawthorp, William Bynkes, Robert Lawthrop, William Paton, and John Burne, commaundyng them, and euery of them, by the same personally to appere before your highnes and the lordes of your moste honorable Councell att Westminster, etc.

Endorsed: Before the lord the king and his council at Westminster in the octave of St Hilary next to come. (*Ibid.*, vol. ix, No. 62.)

The aunswere of Johen' Lowthorpe to the bill of compleynt of James Carter and Agnes hes wyf, Thomas Layton and Isbell hes wyf.

The seid def' saythe that the seid bill of compleynt ys uncerten & insufficyent in the law to be aunsweryd unto, only fenyd of malice and evill will, to thentent to enquiet, vex, and troble the seid def', and the matter therin contenyd determinable within the court of the Prouost of Beuerley within his lordschip of Sowthdalton, for asmuche as the seid londes, in the seid bill of compleynt specyfied, be parcell of the seid maner of Sowthdalton, and holden of the same by cople of the Court Roll after the custome of the seid maner. And as to eny ryott or other mysdemener, supposyd to be done by the seid def' to the seid pl', the seid def' therunto by protestacon saythe he ys not gylty therof, and further he sayth yf

he had committed and done eny suche ryot or misdemenor, as by the seid pl' is supposide, the seid def' saythe that the kyng, our souerayng lorde, by hes most gracyus pardon, by auctorite of parlyement, hathe pardoned unto all his subyectes all riottes and misdemenors committed and done by theym or eny of theym before the third day of Nouembre last past, affore whyche tyme the seid ryott ys supposid to be done, without that that ther ys eny other thyng in the seid bill of compleynt, materiall to be aunswerid unto, and in this aunswere not aunswerin unto, confessid, trauersid, nor avoyed, ys trew, all whyche matterz the seid def' ys redy to prove as this honorable court schall awarde, and praythe to be dysmissed out of this honorable court with his reasonable costes and charges wrongfully sustanyd in this behalf. (*Ibid.*, No. 61.)

No. XXIX.^a

To the kyng our souereigne lorde.

In his mooste lamentable wise shewith and compleynyth unto your highnes your dayly orator and feithfull subiecte, Rycherd Collynson, gent., that where as Mr William Knyght, clerke, archedecan of Rychemonde and parson of the parysshe church of Esyngwolde within your countie of Yorke, beyng lawfully seasyd of and in the seid parsonage in his demeane as of fee as in the right of his seid church; and so beyng ther of seasyd, by his deede indentyd, beryng date the vjth day of May in the xxv ti yere of your mooste noble reigne (1533), dymysed and to ferme lett to your seid orator the seid parsonage or rectorie of Esyngwolde and all londes, tenementes, and seruyces to the seid parsonage in eny wise belongyng or apperteynyng, used or occupied with the same parsonage, with al maner tythes, emolymentes, proffyttes, and commodyties to the same parsonage belongyng or apperteynyng, To haue and to occupie the seid parsonage with all and syngler the premysses unto your seid orator from the seid syxte day of May unto the ende and terme of three yeres then nexte and ymmedyatly folowyng fully to be complete and endyd, yeldyng and payng therfore yerely unto the seid William Knyght or to his assigns the some of xxv ti *li.* xiijs. & iiij*d.* of lawfull money of England, at twoo feastes in the yere, that is to sey, at the feaste of

^a See No. xxxiii. The documents connected with a cross action by Barton against Collynson have been printed in the *Yorkshire Archæological Journal*, xv, 88.

Seynt Martyn in wynter and Seynt Marke the evangelyste, by evyn porcyons, with dyuers other couenauntes and grauntes comprysed in the seid indentor, as by the same emonges other moore pleyndly aperith. By force wherof your seid orator entryd into the premysses and was therof laufully possessyd unto the vijth day of Aprill laste paste, in the seyde xxv ti yere of your mooste noble reigne, that one Jhon Barton of Whenby,^a in your seyde countie of Yorke, esquyer, accompanied with hym the number of xvijth persons, to your orator unknowen, with forces and armys, that is to sey, with bowes, arowes, swordes, buckelers, and other defensyble weapons, the seid sixte day of Aprill laste paste, in the seid xxv ti yere of your mooste noble reigne, ryotously dyd entre into the seid parsonage and all other the premysses with thappurtenances, and therof wrongfully did expulse and putte forthe your seid orator oute of the same parsonage in mooste ryotouse maner, and the seid parsonage with all and syngler the premisses from your seid orator with force dyd ryotously kepe and witholde, and yet doith, and will not permytte and suffre your orator to haue enyoie and occupie the same, ayenst all ryght and good conscyens, contrary to your lawes in sondry estatutes in suche cases provydyd, and to the mooste worste and evill example of all your subyectes in those parties ther dwellyng, if due reformacon therin be not had. In consideracon wherof it may please your highnes, the premysses tenderly consydneyd, to graunte your gracious write of *sub pena* to be dyrectyd to the seid Jhon Barton, commaundyng hym by the same personally to apere before your highnes and your mooste honorable counsell in your Sterre Chamber at Westminster etc.

[Signed :] Roger Cholmley.

[Endorsed :] Before the lord the king and his council on the morrow of [St] John. (*Ibid.*, vol. ix, No. 160.)

^a 1552-3, Feb. 15, 6 Edward VI. John Barton, of Whenbie, esquier. To be buried in my parishe churche of Whenbie in my closett, wher my father doth lie. To William, lord Ewrie, Thomas Barton, my brother, Richarde Whalley, and Richarde Yonger, gentlemen, Thomas Barton and Leonarde Barton, my sonnes, and Leonarde Barton, my brother, my executors, a closes in Whenbie, called Stersbie dikes, Depeley Closes, vnto suche tyme as they haue fully hade of the rent thereof the holl some of one hundreth markes, and they to dispose the same accordinge to the especiall truste and confidence that I haue in theme, to such vses and intentes as I haue speciallie declared vnto theme in discharge of my conscience. He mentions Alice, brother Leonard doughter, doughter Isabell White, my brother Thomas doughter, cosyn John Gower, of Whenbie, Sir Thomas Jodson, vicar of Whenbie, Henrie Barton, my bastarde sonne ; Sir Edward Gower, knyght, and my cosynne, Christofer Lasselles, esquier, supervisors. Proved April 23, 1554. Thomas Barton, esq., Richard Whalley, Richard Yonger, and Leonard Barton, renounced. Master Thomas Barton and Leonard Barton appointed tutors of Thomas and Leonard Barton, sons of the testator (*Reg. Test.*, xiv, 62).

No. XXX.

To the kyng owr soueryngn lord and to the lordys of hys most honorabull Counsell.

In most humble wyse shewyth onto your heyghnes your true and feythfull subiecte, Crystofer Conyers,^a that wher as on Bryan Conyars, father onto your bedman, was seasyd of the maner of Pynchynthorp wyth all the landes and tenementes, rentes, reuersions, and all other commodytes ther onto belongyng, within the cunte of Yorkshyre, in hys demean as of fee; and so beyng seasyd by protestacion therof died seased, after hoes deth on Rychard Grene,^b fader in lawe to your sayd pour orator, as in the ryght of hys wyeff, your sayd oratours mother, and duryng the none age of your pour orator, occupied and enyoud the possession of the said maner wyth all the primysse duryng the lyeff of hys sayd wyeff, after hoez dethe your sayd orator as sone and heyre to hys sayd father entred into the seid manor with all the appurtenances, and peasably enyoie hyt by the space of vij yeres, and onto such tyme as on John Moreby, that tyme beyng priour of the monastery of your Blessyd Lady of Gosburn,^c whych by reason of hys said howse hadde on mese, lyeng within the sayd lordshyp, by reason of the whych mesuage the tenauntes of the sayed pryour, occ[u]pyng the sayd mesuage, tyme out of mynd of man, haue suyt to the courte of the said manor and don ther sutes and seruices therfore accustomed, whyche to do the seid priour wold not suffre hys sayd tenantes so to do no maner of suyt to the sayd court accordyng to the sayd coustome, but commaundyd them to the contrarie, and by grete myghte and pouer wolde not suffer no freholder, whych holdeth of the sayd manor, to do suyt to the sayd courte. And after that the seyde prior resygned hys sayd rome and dygnyte to on Wylliam Spyers,^d nowe pryour of the seyde place, whych in lyke maner of forme haythe used hym self as hys predecessor used hym, and seyng

^a There is some account of the Conyers of Pinchingthorpe in *Yorkshire Deeds*, 138n.

^b Jan. 25, 1525-6. Ric. Grene de Hoton ("Hooton" in margin), in parochia Beati Nicholai de Gisburne in Cleuelande. Sep. in ecclesia divi Nicholai de Gisburne. Fabrice ecclesie de Hesill prope Humbriam iijs., et pro exequiis et messa ibidem celebrandis pro anima mea et animabus patris et matris mee ijs. viij*d*. Res. Elisabethe Grene, uxori mee. Hiis testibus, coram me Umfrido de Spawnton, curato, videlicet, Willelmo Wheatley, Roberto Goldsburgh, Johanne Hudson, et Christofero Rowthe. Proved Feb. 23, 1525-6 (*Reg. Test.*, ix, 335*d*).

^c Prior, 1505-1511.

^d Prior, 1511-1523.

the seyd maner to be no maner but as an hamlett and parcell of the maner of Hoton,^a belongyng to the seyd monastery. For reformaton wherof and for other controversiez dependyng be twen your seyd orator and the seyd now priour, they bunde themselves by ther seuerall dedes oblygatorie, ether to other, to abyde the jugemet of the Justices of assis of your seyd countey, wherapon oon Robert Brudenell, then Justis of your assyes ther, by the advise of boyth ther counselles and apon the seyght of boyth ther tytles, euydences, and wrythynges, heryng the repoyrtes and seynges of both the seyd partiez, by good advise and deliberation and by the assent and agreement of both of seyd partiez, adiuged, awardyd, and demed that the seyd Cristofer may kepe hys courte in hys seyd maner, callyng to the same hys owne freholders, copyholders, and fermers, whych holde of the seyd maner, and also awarded and demed that your seyd orator schulde haue ccc acris of wast grounde in Pynchesond [*sic*] to be hys propre ground, after the rate of fyve score to the hundred, as by the seyd warde and ordinaunce, made and subscribed by the handes of the seyd Mayster Brudenell, more playnly doythe appere. So hyt is, most drade soueranygn lord, that seythe the tyme of the sayd awarde so made, your seyd oratour entred into the seyd ccc acres of waste ground, trustyng to enyoie hyt accordyng the seyd warde. The seyd prior, of hys illdisposyd mynd, wyll yng not to obserue nor kepe no maner of poynt of the seide award, woll not suffer yor pour bedman to enyoie the seyd ccc acres of wast ground, nor woll not suffer hys tenantes nor none other whyche holdethe ther londes of the seyd manor to do suyte to your pour bedmans courte, but commaundyth hys tenantes and other to put in ther bestes into the seyd wast ground. And so hyt ys, most grassius lord, that oon Ser John Bulmer, knyght,^b with dyuerse mous riotus persons, to the nomber of v, the names of whome ys to your seyd orator on-knowyn, the viijth day of October, the vij yere of your most graccous reynge (1515), by the commaundement and procurement of the seyd now priour, with force and armes, that is to sey, with swirdes and bokelers, mete with your poore bedman at Northcote,^c as he was goyng in Goddes peas and yours

^a Hutton Lowcross.

^b Sir John Bulmer was executed for his share in Aske's rebellion in 1537. For an account of the Bulmer family at this date see *Test. Ebor.*, vi, 306. Sir William Bulmer, his father, who is mentioned below, died in 1531.

^c Northcote, a farm about one mile north-west of Guisbrough, was a grange of Guisbrough Priory before 1301 (*Yorkshire Lay Subsidy*, 30 Edward I, p. 45).

toward the place where it was shewed your poore bedman he shuld fynd the seid Sir John Bowmer, to thentent he myght knowe howe and in what som he shuld be sessed and leyd by the seid Sir John Bowmer, that tyme beyng oon of your commissioners wythin the foreseid county for the sessyng of your late subsidie to your highnes graunted ; and then and ther the seid ryottuse persons riotusly assauted your seid oratour and strake att hym many soundrye strokes, and droue your pore bedman bake, and ther thought to haue mourdered your seid bedman, had not on Thomas Faukener, seruant to Sir Wyllyam Bowmer, byn ther, and ther manesshed and thretened your seid poure bedman to kyll hym, by reason wherof your seid poure bedman dare not abide and dwell att hys own place in the same countre, to the perelus ensample of all other suche lyke offenders. And in asmoche, drade souerayen lorde, that the seid pryour ys a man of gret possessions and gretly ayded by many gret gentylmen of the same countre in hys wronnges, and your seid poure bedman but poure nor able to sue for hys remedie by due ordour of your comeyn lawes, hyt may therfore please your heyghtnes the premisses tenderly to consider, to graunte seuerall wryttes of *sub pena* to be directed aswell to the seid priour as to the seid Sir John Bulmer and all other the seid malefactours, commaundyng them, and euery of them, by the same to apere byfore your grace and the lordes of your most honorabull Counsell at Westminster, etc.

Endorsed : [Writts directed] to William, prior of Gisburn, to be before the king and his council at Westminster in the octave of St John the Baptist next, and to Sir John Bulmer, knight, in the quinzaine of Michaelmas next. (*Ibid.*, vol. ix, No. 173.)

Thanswer of William Spyres, pryour of the monastery of our Blyssed Ledy of Gisborn, to the bill of compleynt of Cristofer Conyars.

The seid priour, as to the seid force and armys, riott, assault, and all that is supposed by the bill of compleynt to be don by the seid priour ageyn the kynges peace, and to the seid procurement and comaundment of the seid Sir John Bulmer, or any other persones, contrary to the kynges peace, the seid priour seith that he therof is nothyng giltie, and that the same priour is redy to prove as this court shall award, and for that that the residue of the maters surmysed in the seid bill ben maters only determynable at the comon lawes of this realme, and for that the seid Cristofer is a gentilman of faire enheritaunce

and of kynne to the Lord Conyers and other substanciall gentlemen and men of worship of his aliaunce in that parties aswell of his name and others, the seid priour praieth to be dysmyssed out of this court with his reasonable costes and damages by reason of his wrongfull vexacyon in this behalue susteyned, and to be remytted for the seid residue of the contentes of the seid bill, which nothyng dependith uppon the seid supposed riott and assault, unto the triall by the comon lawes of this realme. And in asmoche as the seid priour by the untrue surmyse of the seid Cristofer, comprised in his seid bill, is in this manere putt unto vexacion and charge, the same priour praieth that the seid Cristofer opynly in this court may be examyned uppon his oth uppon the contentes of the seid bill of compleynt, and theruppon ferther to be ordered as this court shall award. And if this court shall award that the seid priour uppon the residue of the contentes of the seid bill ferther to answer, the same priour, for answer to the seid residue and declaracyon of tought, seith that he is, and all his predecessoures, priours of the seid monastery of Gisborn, sithen the xijth yere of the reigne of kyng Edward, som tyme kyng of England, the third (1338), haue ben seased in the right of the seid monastery of the manere of Hooton beside Gisborn, in their demeane as of fee, of which seid manere one Walter, sonne of John Thorp, then hield by knyght seruice and certeyn rent one capitall mese and other six meses, xiiij oxganys and xxj acres of land, iiij acres of medowe with certeyn wast in Pynchyngthorp aforeseid of the priour of the seid monastery, as of his seid manere of Hooton, whiche meses and tent'es aforeseid the seid Cristofer nowe holdith of the seid priour, and nowe callith them his manere of Pynchyngthorp. And where hit is surmytted by the seid bill of compleynt that Sir Robert Brudnell, knyght, one of the kynges Justices, made award bitwene the seid priour and the seid Cristofer, therunto the seid priour seith that the seid award was made uppon condycyon that if any freholders of Pynchyngthorp disagree, or wilnot be agreable to the artykyllys comprised in the seid award, that then either of the seid parties be at large and at libertie and nott boundyn by any of the seid artikylles comprised in the seid award, and the seid priour seith that the freholders of Pynchyngthorp foreseid will not agree to the seid award. And for asmoche the seid award stondith of none effect without that that the seid Cristofer, or any of his auncestours, or any other whose estate he hath in the seid meses, haue had any court holden there, or any sute of the seid priour or his predecessoures

or their tennantes for the seid mese of the seid priour to his seid court, and without that that the seid Sir Robert Brudnell awarded that the seid Cristofer may kepe any court uppon his seid tent's, whiche he callith his manere of Pynchyngthorp, in such manere as the seid Cristofer by his seid bill hath feyned and alleged, and without that that the seid Cristofer hath any manere in Pynchyngthorp aforeseid. And the seid priour seith that the seid Cristofer sithen the seid supposed award to be made by the seid Sir Robert Brudnell hath brokyn the walles and closure of one close of the seid priour called Lyng Close in xvij seuerall places, and cast downe the same and made hit opyn, whiche tyme out of mynde hath ben seuerall and closed unto the seid priour and his predecessoures, so that the seid Cristofer hath nott only brokyn the seid award, if hit were goode, but also comytted dyuers trespasses to the seid priour ageyn the kynges peace and his lawes, wherby the seid priour hath goode cause to compleyn and take his remedy ageyn the same Cristofer, and the seid Cristofer no cause ageyn the seid priour, but only to thentent to putt the seid priour to greate vexacion and losse of his goodes. All whiche seid maters the seid priour is redy to verify as this court shall award, and prayeth, as he hath in this answer before prayed, to be dysmyssed out of this court with his reasonable costes and damages susteyned in this behalue.

Appended is a commission, dated 6 July, 10 Henry VIII (1518), directed to Sir Richard Nevyle of Latymer and Sir John Norton, knights, to hear, examine, and (if the parties thereto agree) to finally determine the matters in dispute in this suit.

Appended is the return made by the abovesaid commissioners.

We haue hardd' and examyned all such persones as any of the parties wold giff vs instrucion of, or that we by any meanes could haue any perfit knowlege by in the tyme to vs lymytted, for a true knowlege to be had of a ryott supposed to be done by Sir John Bulmer, knyght, by the procurement of one William, priour of Gysburn, whos sayinges afore vs by theyr deposecions apperith below, and also the verry copy of a lettre broght unto vs from the seid Sir John Bulmer by Sir Thomas Franke, dean of Clevelandd', who deposid that the said Sir John was sore seke, and hadd deposid unto hym that the said letter was true in euery poyntt. And as tochyng the travers for the senorye and certayne landdes, which Cristofer Conyers claymeth to haue in Pynchynthorpp', the partyes hadd' a draught of awarde therof, and shewid the same afore vs, which

they say was drawene and devyced by Sir Robert Brudnell, Justice of your Bensh, who is there present, and of whom your Grace may haue better knowlege of the same ; which draught is in theyr handes, as we suppose, redy to be shewyd, when your Grace will com'aunde.

The deposecyon of Thomas Falconer, servante to Sir William Bulmer, sheryff of Yorkshire, examyned at Gisburne, the first day of September, 10 Henry VIII (1518).

He sayth that Cristofer Conyers came the 8th day of Octobre, 7 Henry VIII (1515), to Northcote, nere Gysburne, and there desired Sir John Bulmer that he wold put one other in his rowme to be collector, for there was oder that was more able then he. Sir John aunswered, yf that the Lord Latymer, his cosyn, Sir James Strangweys, and his fader, wold put in ane other, he shuld haue his furderaunce. And the said Cristofer threpyd^a vpon the said Sir John that he myght doo it, if he wold. And he said that he hadd' nothyng to do but under his fader. And as they shuld haue departyd, then said Sir John Bulmer to the said Cristofer : Cosyn,^b ye haue summonyd my fader is tenandes vnto your court'. And Cristofer aunswered it was his right. And Sir John Bulmer said ageyn he trowyd not it was his right. And he said it was his right, he was chefe lorde, and he wold speke in that and lett for noo man. And Sir John Bulmer askyd hym if he hadd' seen his auncestours sewt his auncestours court'. And he said ageyn, 3ey, that hadd' he done, and that shuld he make proffe vpon. And then said Sir John Bulmer he lied ; and he said he lyed not. And Sir John Bulmer shoke his handd' at hym, and said, Go your way ; I will haue noght to do with you. And the furst worde that I, the said Thomas, herdde after, the said Sir John Bulmer sayd, Lies then thy handd' on thy swerde to me. And with that drewe his swerde and wold haue stryken the said Cristofer, but I, the said Thomas, lett hym. And the said Cristofer wold haue lighted,^c and in the lighting the said Sir John stroke hym flatt vpon the hede with his swerde, and then the said Cristofer lyghted and drue his swerde, and then lighted Sir John Bulmer, and threwe his hauke of his handd', and came to the said Cristofer as he wold haue striken hym ; and the said Sir John's servaunttes lettid hym. Then Sir John badd' the said Cristofer put vp his swerde, and

^a Insisted.

^b Sir John Bulmer's mother was Margery, daughter of Sir John Conyers, of Hornby.

^c Got down from his horse.

he wolde latt hym alone, and so he dyd. Then folowyd the said Cristofer vpon the said Sir John with vngoodly language, and then drewe they both their swerdes ageyne. Then Cristofer desyred Sir John nott to stryke hym, but besought hym to be his good master, and Sir John badd' hym put up his swerde and goo his way. And as Sir John was goyng his way, Cristofer drewe his swerde at the said Thomas, and said that he was one of those that hadde mayd hym that at doo. And Sir John came agayn, and asked hym at whom he drewe his swerde. And with that the said seruaunttes put theym sounder, and so they departyd.

Further, he sayth that he was examyned and sworne vpon a booke with John Balye, now deceasyd, afore Herey Conyers and John Sayer, which Herey and John mayd agrement betwixt the said Sir John and the said Cristofer Conyers for such varyaunce as was dependyng betuixt them.

Cristofer Mawghenne, seruaunt unto Sir John Bulmer, sayth that Sir John was hawkyng in a garthe behynd Gisburne and then at the Neder Mylne, and could haue no game vnto he came vnto a place callid North Cote, and there his hawk kild a pye. And after the rewardyng^a of the hawke, the said Sir John toke the hawke on his owne handd', and then and there came Cristofer Conyers, and badde God evyn to the said Sir John, and the said Sir John sayd, Good evyn, Cosyn Conyers. Then sayd Cristofer, Sir, it is shewyd me that ye haue mayd me a collector. And Sir John sayd, Nay, if ye bee one, ye were mayd by better men then I; but I cannot tell if ye be or not. And Cristofer sayd, Ye haue bene euer agayn me, and all is for yone prior sake. Cosyn, sayd Sir John, ye may say as ye will, for so ye say that my fader shall suett your courte, and that was never seen that none of myne auncestours suttid your auncestours' court. And he said, By Godes blode, that shuld they, and with that pullyd his swerde afore hym. And Sir John sawe that, and said, Goo thy ways, I will haue nothyng at doo with the. And then Cristofer came nere the said Sir John, who pulled out his swerde, and gaue him flatlinges in the nekke. And Cristofer lighted with his swerde drawene in his handde toward the said Sir John, who lighted of his hors and threwe his hawke from hym, and there had strykken togidder, hadde not bene Thomas Falconer, John Bayly, and I, which partyd theym. Then Cristofer was very hot', and Sir John sayd,

^a If she will forsake the fowle that she plumyth on, . . . then . . . rewarde yowre hawke with the Brayne and the necke (*Book of St. Albans*, b.iii, quoted in the N.E.D., s.v. Reward).

Cosyn, goo your way, for I will haue no more to do with you. And Cristofer sayd, Fye on your cosynage, I defye you, for I had rather dye in my right. And Sir John sayd, I will do you no wronge. And Cristofer folowid hym still, desyring him. And euer as Sir John wold turne to hym, he wold saye, Kyll me. And Sir John wold say, I wil neyther kyll the, nor medle with the. And thus Cristofer folowyd upon the said Sir John the space of three hundreth fotes. And then Cristofer turned ageyn, and so they departid, and X'pofer sayd that he shuld goo and kyll the prior of Gisburn, and with that wentt his way.

Thomas Hogeson of Sneyton, late bailly of Lyverton, saith that John Baily and he hadde bene at the Wapyntake Court', and as they came homeward sawe Sir John Bulmer at the Northcote [and heard that there had been a dispute (as above) between him and Christopher Conyers].

Hughe Calverd, somtyme seruaunte unto the said Cristofer Conyers, and at the tyme of this deposecion owt of his seruyce, sayth that Cristofer came to speke with Sir John for the subsidye, and the furst that he did see of any vnkyndnes, both Sir John and his seruauntes and the said Cristofer had their knyves furth.

William Spyres, priour of Gysburne, deposeth that the assaute supposid to be mayd by Sir John upon the said Cristofer was without his knowlege or procurement. Sir John never had any fee of him for beryng or mayntenance in this matter, or any other his unlawfull causez.

Copy of the letter sent from Sir John Bulmer unto the said Lord Latymer and Sir John Norton, knight, at theyr beyng at Gysburne, desiring his lordship and cousin Norton to giff credence to this his writyng, "insomuch as it hath plesid God to send me such diseas, as I am not able to ride." He gives an account similar to the above of their dispute, and continues: This was our varyaunce, for the which varyaunce we were agreid by tuo of our frendes, Henry Conyers of the West Laithez^a and John Sayer, my fader being present. My Lord, I hadd no seruauntes with me, but onely one grome of my fathers, Thomas Falconer, who was rewardyng a hawke that hadd' kild a pye. There was also there the baly of the countrey, and a stranger, one Hodschon', my cosyn Dawney's tenaunt, your sone in law, my Lord

By your owne at seruyce John Bulmer.

^a Westlees in the parish of Whorlton.

The deposecion of William Browne.

He saith that he hath kept kourtes at Pynchynthorpp by the space of 10 yeris in the reigne of king Herry the 7th, nye the seconde yere of his reigne, to the behove and vse of one Richard Grene and Elizabeth, his wiffe, moder unto the said Cristofer Conyers, during the nonedge of the said Cristofer. At the which courtes was callid as freholders and suetters to the said courte, the pryor and coventt of Gysburne, thabbot and coventt of Ryuax, Rauff Bulmer^a and his heyres, William Caldbek and the landd holders of the said William, Robert Chilton, Trestram Medleton, oderwise called Trestram Haryson, Robert How, William Eden, William Barwik, John Meryngton'. At euery court all these were callid as freholders and suetters to the said court, and for defaulte of apperaunce they were amerced, and the amercementtes extretid and gathered by the officer, and accomptid therupon with all other dyuers amercementtes, as grenehew, faldbrekes,^b with all other such amercementtes as belongeth to such a court to be amercyd in. And these amercementtes, with all other commodyties belonging to the said court were hadde yerely that tyme without any interupcion or denyer.

A copy of thabbot of Ryeuall^c letter sent vnto the said pryor of Gysburn':

Reuerent fader : In my most hartely maner I recommaund, and right gladd I am that ye haue spede your journey so weill, bothe concernyng your bodely helth and good expedicion of your rightwise cause. And where your fatherhede dothe requyre to knowe how that Mr. Conyers and I dyd agre as touching our frehold in Pynchynthorpp', truely he many tymes sent to me to know wheder we do hold or wold hold of hym or nay. So at the last I dyd write a bill to hym, and shewed hym that I wold do that were right, and as we haue done long tyme afore ; but I knowe neuer that we did holde of hym, but in *pura elemosina*, and so I dyd write to hym, and that he shuld close. I was neuer agreable, nor never will not be, as long as it is to the harme of our tenement and agayns our right. And so this myne awne handde shall bere witnes . . .

^a Sir Ralph Bulmer died on Midsummer Eve, 1486. William, his son and heir, being of the age of 21 on the feast of St. George the Martyr (April 23) in the same year.

^b Amercements for taking the green branches (*viride*) of the trees, and for breaking the pinfold.

^c William Helmsley, abbot of Rievaulx in 1513 and 1528. At the time of the Dissolution, Rievaulx had one tenant in Pinchingthorpe, paying 11s. a year (*Rievaulx Chart.*, 332).

At Rieuall this present day most vnlesurly by the handde of yours broder and bedeman, William, thabbot of Rieuall'.

Here follows a copy of a letter from Thomas Lacenby to the said prior, part of which is torn away, with regard to the division of the common of Pinchinthorp'.

A copy of William Eden's^a lettre sent unto the said prior.

My lord, I am informyd that Mr. Conyers intends to haue the more of Pynchynthorpp' to his owne use in seueraltie, and your lordshipp wold knawe wheder that we, that er your freholders, wilbe content therewithall or not. My lord, I say for myself, that I will neuer concent therto, and I beseke your lordshipp to be not myscontent with me therfor, because that I wold it were vsed as it hath bene afore tyme in our auncestor' days, or he or any of us was borne, and I shall pray for you.

By your bedeman William Eden.

(*Ibid.*, vol. ix, No. 173.)

No. XXXI.

Thys is the replicacon of Sir Robert Curson and Anne, hys wif, to thaunswere of Sir Robert Clere and William Eyre to the maner of Westibton and xx*li.* of yerely rent, goyng oute of the maner of Swylyngton.

The said Sir Robert and Dame Anne sayen in euery thyng as they haue sayed in ther said bill ; and sayen ouer, that though ther were suche offices founden, as is surmysed by the said answere, that they be of no trouth, and the said Anne not bounden by theym, and that such persones, as been therof seised to the perfourmaunce of the will of the said George, ought and may haue ther lawfull trauerse to the same. And ouer that they sayen that the said George Hopton^b was sole seised of the maners of Blyborowe, otherwise callyd Westwod, Preston Magna and Preston Parva, Sarford, and Alderton

^a Aprile 16, 1549. William Eedon ("Edon" in the margin), of Skiplome, in the pariche of Kirkedaile, gentleman. Son Ralf, son and heire. Dau. Barbara too salte salmons, to be taken oute of my water at Preston duringe her lif. Salmons to daus. Katerine, Alice, and Elisabeth, and wife, Cecilie. Will., son of Henry Edon, Cuthbert Edon. Proved April 24, 1550 (*Reg. Test.*, xiii, 629).

^b The *Inq. p. m.* of George Hopton, knt., was taken at York on March 16, 5 Henry VII (1489-90). He died on July 6, 1489, leaving a son and heir, John, two years old. He was seised of the manors of Swillington and Great and Little Preston, and of lands there and in Kyrk Garforth and Allerton-by-Water. John Hopton was already dead, as he died on Jan. 20, 1489-90, leaving a brother Arthur, aged 1½ years, as his heir (Inquisitions of the reign of Hen. VII, Nos. 480, 589, 643, 644).

with ther membres, and other maners, londes, and tenementes in the counties of Lyncoln, Suff', Norff', and York, in hys demean as of fee duryng the espousels bytween hym and the said Anne, wherof the said Anne is endowable and oweth to be endowed. And the said Sir Robert Clere and Anne take the hole profettes and yeit withhold the reasonable dower of the same frome the said Anne, and haith doen syns the deth of the said George, amountyng to the some of ccli. and aboue. And if the said Sir George hadd died seised of the said maner of Swylyngton, as is surmysed by the said answe, then the said Anne ought therof to be endowed. And the said Sir Robert Clere and William Eyre hayth taken all the profettes of the same syns the deth of the said Sir George, the iij^{de} parte wherof amounteth to twelve score pounds and aboue. All whyche matiers the said Sir Robert Curson and Anne be redy to proue as thys courte theym will award. And praye as they haue prayed in ther said bill. (*Ibid.*, vol. ix, No. 241.)

Thys is the title of Sir Robert Curson and Anne, hys wif, to the maner of Westilton in the countie of Suff', and xxli. of yerely rent goyng oute of the maner of Swylyngton in the countie of York.

And for title to the same the said Sir Robert and Anne sayen that certeyn persones were seised of the said maner in hys demeane as of fee to thuse of Sir George Hopton and of hys heyres, and so seised the same Sir George declared hys last will that the same Anne shuld haue the said maner of Westilton and xxli. yerely goyng oute of the maner of Swylyngton for terme of her lyf, and died, after whose deth the same Anne peasably toke and perceyued the profettes of the same till nowe of late that Sir Robert Clere and William Eyre them wrongfully deforced therof, etc. (*Ibid.*)

No. XXXII.

To the kyng our souereign lord.

In his most humble wise shewith unto your highnes your dayly orator and true subgett, Thomas Clarke, one of the chauntery preestes of the chauntery of vj chapleyns, foundid in the parisshe church of Harwood^a in the countie of York,

^a There was a chantry in Harewood Church, consisting of six priests, at the time chantries were dissolved. It had been founded by Robert Lyle, that is, Lisle. (*Yorkshire Chantry Surveys* (Surtees Soc., xcii), ii, 222, 394.)

where your said orator was, and yet is, laufully possessid and inductid of, in, and to the said chauntery, so it is, most dradde souereign lord, that one Sir William Gascoigne,^a late of Gawkethorpe in the countie of York the elder, knyght, George Gascoigne, late of the same towne, gentilman, Marmadewe Gascoigne, late of the same towne, gentilman, Nicholas Faux', late of the same towne, yoman, Ninian Plumpton, late of the same towne, gentilman, William Franke, late of Alanley,^b gentilman, Thomas Lokwode, late of Gawkethorpe, chapleyn, Nicholas Betty, late of the same towne, chapleyn, Leonard Fysshebourne, late of the same towne, chapleyn, George Gascoigne otherwise callid Joce, late of the same towne, gentilman, William Foster, late of the same towne, yoman, John Tomlynson, late of the same towne, yoman, William Fletcher, late of Wygton, yoman, William Smyth, late of East Keswyke, yoman, William Clugh, late of the same towne, yoman, Percyuall Whytehed, late of Swyndon, yoman, John Buktrowte, late of Weton, yoman, Alexander Castelford, late of Gawkethorpe, yoman, Robert Scolthorpe, late of the same towne, yoman, William Scacherd, late of the same towne, yoman, Peter Curteys, late of Menston, yoman, William Preston, late of Gawthorpe, yoman, George Pycard, late of Shipley, yoman, Thomas Maxhey, late of Gawthorpe, yoman, Cristofer Bell, late of the same towne, yoman, Richard Curle, late of the same towne, yoman, John Long, late of the same towne, yoman, Thomas Lawson, late of the same towne, yoman, John Fletcher, late of the same towne, yoman, William Wright, late of Gawthorpe, yoman, John Knyghtson, late of the same towne, yoman, Robert Wright, late of Kyrkeby, yoman, John Fuller, late of Rygton, yoman, Nicholas Netherwode, late of Gawkethorpe, yoman, John Wodehouse, late of the same towne, yoman, Thomas Smythson, late of the same towne, yoman, William Pulleyn, late of the same towne, yoman, Robert Sysson, late of the same towne, yoman, Robert Gyllyott, late of Thorpe Perche, yoman, Robert Loye, late of Gawthorpe, yoman, Cristofer Hanley, late of the same towne, yoman, Thomas Bradley, late of the same towne, yoman,

^a Eldest son and heir of Sir William Gascoigne of Gawthorpe, knight, who died March 12, 1486-7, and Margaret, daughter of Henry, earl of Northumberland. He was aged 19 and upwards when his father died. He sold the manor of Tyrley, co. Stafford, to Sir Rowland Hill and others in 1533 (*Inq. p. m.*, Hen. VII, No. 357). He is called "Sir Wylliam Gascoign, the vth of that name," in *Tonge's Visitation* (p. 15). His will was proved on March 23, 1551-2. By his first wife, Alice, dau. of Sir Richard Frognall, of Frognall, he was father of the above-named George and Marmaduke Gascoigne.

^b Alwoodley, in the parish of Harewood.

William Scalvery, late of the same towne, laborer, Edward Fletcher, late of the same towne, laborer, and Launce Potter, late of the same towne, yoman, with dyuerse other riottous persons, to your said orator unknowen, the xxijth day of Decembre in the xxjth yere of your most noble reigne (1529), riottously, with force and armes, that is to sey, with swordes, staves, and knyves, and other wepons defensyve and invasyue, unlaufully and riottously assemblid theym selves at Harwode in the said countie, and so assemblid with force and armes aforesaid unlaufully and riottously the parisshe church of Harwode aforeseid then and there brake and entrid, and in and uppon your said orator, in Goddes peace and yours then and there beyng, with force and armes aforeseid made assaulte, and hym then and there so bete wounded and evill intretid that he thought he shuld not escaped with his life, and with great violence and rigorous maner plucked your said orator out of the said church, and other great enormytees then and ther to hym did, to the great hurt and damage of your said orator and contrary to your peace and lawes, to the evill example of other suche like offenders and trespassers of your lawes, unlesse redresse and due reformation by your highnes and your most honorable Counsell be shortly had and prouyded in that behalf. In consideracion wherof and for asmoche as your said orator is a very pore man, and the said Sir William Gascoigne of great possessions, substance, and habilitie, so that your said orator is not hable to pursue for his remedy ageyne the same Sir William Gascoigne and other riottous persons aboue named by the order of the comen lawe of this lond, it may therfor pleas your highenes, the premysses tenderly considerid, to graunt seuerall writtes of *sub pena* to be directid to the said Sir William Gascoigne and other persons aboue named, commaundyng theym by the same to appere afore your highnes and your most honorable Counsell in your Sterre Chambre at Westminster, etc.

Signed : Thomas Audeley.

Endorsed : Before the Lord the King and his council at Westminster in the morrow of All Souls next to come. (*Ibid.*, vol. x, No. 14.)

No. XXXIII.^a

To the kyng oure soueraigne lorde.

In most lamentable wyse compleynyth and shewyth unto youre hyghnes youre dayly oratour and trewe subiecte, Rychard

^a See No. xxix.

Collynson, gentylman. That where as maister William Knyghte, clerke, archdyacon of Rychemonde *etc.*, as in No. XXIX, *down to*) playnly apperyth. By force wherof your sayed oratour accordyng to the sayed lees entred, and was therof lawfully possessyd unto the sexte day of Apryle last passed in the xxvth [yere] of your most noble reigne (1534), that one Thomas Bransby of Esyngwold, yoman, Thomas Gybson of the same, yoman, William Gybson of the same, yoman, John Browne of Sutton, yoman, Rauf Browne of the same, yoman, Christofer Browne of the same, yoman, Rychard Browne of the same, yoman, and Cristofer Fayrewedder of the same, yoman, with force and armys, that is to say, with bowes, arrowes, swordes, bucklers, and other defensible wepons, the sayd sexte day of Aprile ryotusly dyd enter into the sayed personage and all other the premyssez with their apportynaunces, and therof wrongfully dyd expulse and put forthe your sayd orator owte of the same personage in most ryotous maner. And, ouer that, most drad soueraigne lorde, the sayed Thomas Bransby, Thomas Gybson, William Gybson, John Browne, Rauf Browne, Cristofer Browne, Rychard Browne, and Cristofer Fayerwedder, then and ther ryotusly made upon one Robert Sowrell, Nycolas Atkyn, John Overend, and Rychard Kyndall, seruauntes to your sayde oratour, beyng tyll yng the arable lande of the sayd personage, assaute and affray, and them wounded and hurte, and wolde not permytte nor suffer your sayd oratour seruauntes to occupye nor go abowte the labour and busynes of your sayed oratour, their maister, to the great impouerishment of your said orator and ageynst all ryghte and good consyens and contrary to your lawes. In consideracon wherof it maye please your highnes, the premyssez considered, to graunte your seuerall wryttes of *sub pena*, to be dyrected to y^e sayd Thomas Bransby and the others, commaundyng them, and euery of them, by the same personally to appere byfore your highnes and your most honorable counsell at Westminster in your Sterre Chamber, *etc.* (*Ibid.*, vol. x, No. 119.)

Appended is the answer of John Browne denying any knowledge of such a lease. He says that the said Wyllyam Knyghte on xx August, xxij Henry VIII (1531), leased the parsonage called Esyngwold onto one John Barton of Whenby, esquire, George Crewer, and the said John Brown, for the term of nine years yet continuing. They occupied the premises accordingly until Rychard Collynson, now complainant, did them disturb. And he prays to be dismissed, *etc.*, *etc.* (*Ibid.*, No. 120.)

Appended is the replication of Rychard Collynson, denying the lease alleged in John Brown's answer "specified in the sayed answer for terme of thre yeres and so from thre yeres to thre yeres duryng the tyme of nine yeres, as in the sayed answer is untrewely alleged." (*Ibid.*, No. 121.)

No. XXXIV.

To the kyng our souereign lord.

In most humble wyse sheweth and compleyneth unto your highnez your dayly orator, Marmaduke Constable, clarke, parson of the parisshe church of Rypley in the county of York, that where your seid orator about the vijth day of Maye last past, the seid church then beyng voide, was lafully admytted, institute, and inducte incumbent and parson of and in the same church at the presentement of Thomas Barklay,^a esquier, son and heyre apparent of the lord Barklay, John Constable, esquier, and other, then beyng patrone of the seid parishe church of Rypley, accordyng to the due course and ordre of the spirituall lawe, and therapon was putt in reall and peasable possession of the seid church with the profettes of the same, and was lawfully seised in his demeane as of fee of and in the glebe landes and tenementes of the seid parsonage, as in ryght of the same church, and the issues and profetts therof toke and perceued, untill now of late, that is to witt, about the xiiijth day of Maye last past, that one William Carre of Rypley aforeseid, clarke, John Mylles and Thomas Lange of the same towne, yemen, by the instigacion of Sir William Gascoigne thelder, knyght, of their malycious and cruell myndes, ryottiously and with force and armys, that is to witt, with swerdes, buckelers, and other defensyue and invasyue wepons, entred into the capytall mesuage of the seid parsonage, and also into other the premyssez upon the lafull possession of your seid orator, and your seid orator with lyke force and armys therof dyd wrongfully disseise and expulse, and the same wrongfull possession of the premyssez by strenthe do yet wrongfully receyue and kepe, to the most perillous and euell example of all suche lyke offenders, of that condygne punysshement and spedy remedy theryn be not by your

^a Sir Robert Constable, of Flamborough, married Jane, daughter of Sir William Ingleby, of Ripley, and Sir Robert's sister, Eleanor, married (1) John Ingleby, of Ripley, brother of Sir Robert's wife, (2) Thomas, Lord Berkeley (*Flower's Visitation of Yorkshire*, p. 65).

grace and your most honorable Counsell shortly prouyded and hadd in the behalffe. In tendre consideracon wherof it may please your highnez, the premyssez considered, to graunte unto your seid orator your most gracyous seuerall wryttes of *sub pena* to be dyrected unto the seid William Carre, clarke, John Mylles, and Thomas lange, commaundying them and euery of them by the same personally to appere before your highnez and your most honorable Counsell in your Sterred Chaumber at Westminster, etc.

[Signed:] William Wheywod [?].

Endorsed: Before the lord the king and his Council at Westminster in the Octave of [St] Michael next by attachment. (*Ibid.*, vol. x, No. 52.)

No. XXXV.

To the kyng our soveraigne lorde.

In moste humble wise shewith unto your excellent highnes your obedient and faithfull subiecte, John Cotes, knight, maier of your graces cytye of London,^a that where youre said subiecte ys, and by a long season past hath ben, by good and iust title seased in his demeane as of fee of and in the manor of Shitlyngton^b with thapportenaunces in your countye of Yorke, so it ys, moste gracyous souerayn lorde, that upon the third daye of Maye last past, oon John Byngley, Willyam Netleton, George Rychardson, Wylliam Broke, John Gaunte, John Halle, Robert Netleton, Henry Cleyton, Wylliam Jakson, Wylliam Wylcokes, and Laurens Best, with dyvers other malefactours to the nombre of xxxtie persons, in maner of warre arrayed, havynge in their handes soundrye kyndes of weapons, with force and armes, ryotouslie and forcyblye, entred into a wast grounde of your said subiectes called the Strennes, being parcell of the said manor of Shitlyngton, and foure hayfers and twoo bullockes, of the goodes and catalles of on Wylliam Whetley, your said subiectes fermor of the said manor, then being upon the said waste soyle, ryotouslie tooke and ledd awaye without any iuste cause, and them enchaced to your Maiesties Castell of Pountfret in your said countye, and there them forcybly and iniustlie, contynuallie from the said third daye of Maye, haue deteyned, and them yet doo witholde againis

^a John Cotes, salter, mayor, 34 Hen. VIII, 1542. Son to Thomas Cotes, of Bearton, Co. Buckingham (Stowe's *London*).

^b In the parish of Thornhill, near Dewsbury.

all good ordre of justyce, to the moste pernycyous example that may be, yef condygne punyshment and correctyon be not to them mynystred in this behalf. In consideracon wherof it may please your said highnes of your moste habundaunt grace, tenderlye consideryng the premysses, to graunt unto your said subiecte vj severall writtes of *sub pena* to be directed to the said John Byngley, William Netleton, George Rychardson, William Broke, John Gaunte, John Halle, Robert Netleton, Henry Cleyton, William Jackson, and William Wylcokes, and Laurens Best, commaundyng them by the same personally to appere before your maiesties moste honorable Counsell in your starre chambre at Westminster, etc.

[Signed :] Thomas Akyns.

The defendants in their answer say that they do dwelle and inhabyt within the county of Yorke, and within the precyncte of the commysseyon of Yorke, and ought theyrby to be impleaded theyr, and not in thys honorable courte. As to any ryot supposed to be done by them, they ar not gylty. They say that the grounde, called the Strennes, is a grounde which, by the tyme wheyrof no memory of man ys to the contrary, hath bene vsed for the cove pasture of the towne of Chytlington and the hole inhabitantes of the same towne, and ys the freholde of dyuers persons, as foloyth, viz. Thomas Wentworth, esquier, Robart Swyfte, esquier, John Byngley, one of the defendauntes, George Oxley, clerk, Elizabeth Amyas, Thomas Leston, John Broke and Johane, hys wyffe, Laurence Waterhouse, John Neylor, Robert Bedford, Wyllyam Sheperd, clerk, Henry Clayton, and others ; and also all the tenauntes of the seyd complaynantes, the fermor of the said manor, place, or demeanys onely excepte, haue such pasture for theye kye as other tenauntes theyr haue, the said defendauntes being tenauntes for yeres yet enduryng. The occupiers of these groundes aforeseyd have vsed yerely the thryd day of May to assemble them selves all together to deuyde unto every person of them a porcion of pasturage for a certayn numbere of bestes in the said grounde, called the Strennes, according to the rate of theyr lande within the same towne and according to the olde vsage theyr. And on the sayd thryd of May, hering that the sayd Wyllyam Wheytley had ryotosly and wrongfully entred into the sayd pasture, wherin he had no interest, and put in the same 2 bullockes [etc.], the defendauntes dyd peceably dryve the same beystes to the kynges castell of Pomfrett, as they haue euer used to do with theyr dystresses takyn wythin the said honor of Pomfrett. The said grounde,

called the Strennes, doth lye opyn and as comen after the corne therof ys inned.

Interrogatories to be mynystred to witnesses on the behalf of Syr John Cotes, knight :

1. Whether Sir John hath any lande within the towneship of Shitlington called the Strennes.

2. Whether the Strennes be parcel of the manor of Shitlington, or at any tyme reputed as such.

3. What nombre of persons were ye at suche tyme as ye tooke the 2 bullokes, etc.

4. What weapons ye barre about you at that tyme.

5. Whether ye knewe at any tyme in your daies that the owner of the said manor, or any of his fermours, hath occupied the said grounde called the Strennes, or put in their catell into the same.

6. For what cause will ye not suffre the fermor of the said manor, being an inhabytaunt within the towne and parish of Shitlyngton, to haue pasture for his catell vpon the said grounde as other inhabitauntes of the said towne.

7. Whether Henry Cleyton, oon of this [*sic*] defendauntes, hath enclosed any parte of the said Syr John Cotes grounde, parcell of the said manor or not.

8. Whether Wyllyam Whetley or Robert Whetley were endited by the procurement of the said defendauntes, or of any of them, or by whose procurement.

9. Whether any of the persones endited were personally before the justices of peas to give any evydence to the inqueste which endyted them, or any for them.

Interrogatories to the witnesses on behalf of the defendauntes.

1. Whether the pasture callyd Strennes ys only occupied by the inhabytantes of the towne of Nethershytlyngton, hauyng landes in the cornefelde adioynyng to the same.

2. Whether they occupy the same as theyr owne pasture, euery man according to the quantyte of land that he occupyeth in the same felde adionyng.

3. Whether the complaynant, or any farmor of the demeanes of hys landes ther, hayth at any tyme occupyed any parte of the seyd pasture for or as parcell of the said demeanes.

4. Whether any person, hauyng noo landes in the seyd felde adionyng, have occupyed the same pasture or any parte therof.

5. Whether the Kinges maiesty be lorde of the same towne or hayth any freholders theryn, and what they be.

6. Whether the said inhabytantes, hauyng landes in the feld adionyng, hath used the thyrd of May (as in the answer alleged).

7. Whether any of the tenantes of the seyde John Cotes, knight, other then sych as haue landes in the said feld', have had any pasture or intermedlyng with the same.

8. Whether the Strennes hath bene vsed or taken as parcell of the demeanes of the landes of the seyde John Cotes, knyght.

9. Whether it hayth bene occupied at tymes as parte of the farmeholdes and tenementes of the same towne, viz. to euery tenent or farmeholder hys porcion.

Depositions taken at Wackefeld 6 September, before Thomas Gryce, Thomas Drax, esquyers, Thomas Gargraue, and Niccolas Whetlay, gentylmen, by vertue of the kinges graces commission to thaym dyrectyd.

Witnessis on behalfe of Sir John Cotes.

Chrystoffer Anson of Nethershitlington, aged 60, tenante to Sir John Cotes, sayth that

1. The Strennes haith beyn occupied by all the tenauntes of the said towne, and that the lorde never putt bestes therin to his knowledge. He thynketh it shuld belonge to all the freholders and tenantes ther.

2. He knoweth not whether it be parcell of the manor or not.

3. He saithe 27 by reporte.

4. He knoweth not.

5. He neuer knew thay put in any.

6. Because he saith the lord never put in any before.

7. The lordes tenauntes haith exchaunged certen growndes under the Greves,^a about 3 roodes, with Henry Cleyton, which he haith nowe inclosed.

8, 9. He knoweth not. All the feyldes was wont to be cast opyn at Michaelmas, and to be free to all the inhabitantes.

Wylliam Milner of Mydle Shitlyngton, tenaunt to Mr. Cootes, saith as above.

Stephen Rowsse of Horbury, aged 50, tenaunt to Mr. Cootes, saith he hath knowne all the tenauntes of the towne to occupie the same without any bylaw or statut therin till more then 30 yeres agoo, at whiche tyme it was appointid to occupy it euery man according to his tenement, and shortely after ther was a bylaw mayd, euery 3 acres to haue a cowgait.

Thomas Bedffurth of Nether Shitlington, 60 yeris, tenaunt to Mr. Cootes, saith all the inhabitantes of the same town haith land in the feyld adyoning, save cotagis laitly buyldid.

^a Bushes or thickets.

William Helways of Nether Shitlington, aged 40 yeres, tenant to Mr. Cootes, saith that Claiton, by thassent of Mr. Wentworth, being lorde, inclosed dyuers peces of the balkes ther. All the tenaintes, saue one cotager, haith landes in the feild' adjoying, and to thare knowlege Mr. Cootes is cheyffe lorde.

Witnesses for the defendautes.

John Friston of the Hethe, of the age of 64, tenaunt to Robert Fryston :

1. He knewe oon Percyvall Amyas,^a that hadde the landes now Mr. Cootes, and at that tyme the Strennes was oonly occupied by the tenautes of the same towne, and the said Percyvall did not intermedle therwith. What haith beyn doyn syns he knowith not.

2. Thay occupied the same as pertening to thar' tenementes, and hadde thair tenementes lettyn the derrer therfor.

3. No man that euer occupied the demayns to his knowlege put any bestes therin for the same demanis.

5. The king haith freholders ther in the townshipe, viz. Henry Clayton and oon Waterhouse; and a place called Hollinghurst is holdin of the king ther, but whether the king be lorde of the hole towne imediate or no he knoweth nott.

6. Yt ys true, for he haith seyne his dyuers tymes.

8. 9. It was neuer takyn as parcell to his knowlege.

^a 1506, 21 Hen. VII, May 4, regnante domino nostro Jhesu Christo. Persi-vallus Amyas de Neder Shetillington, in parochia de Thornhill, armiger. Sep. infra chorum ecclesie de Thornhill in parte boriali. Rectori ad sustentacionem cancelli [*sic*] pro sepultura mea et consanguineorum meorum 6s. 8d. Isabelle, uxori Walteri Calverley, 6s. 8d. Agneti Jepson 6s. 8d. Sonne Richard to haue my place, called Nederholinghirst, and all suche landes purchasid as I haue geven hym by my dede. Res. to son and widow whom he appointed executors with Thomas Pecke, clerk, rector of Thornehill, and Ralph Normavell, gent. Isabell, my doghter, (to) haue to her and her childer x marc' of such goodes as I leve in penny or pennyworth. Elsabeth Friston, doghter to George Friston, (to) haue 40d. that shalbe deliuerde to the person of Thornehill; and besides this that the (said) Elsabeth shall haue 40d., which is to me owing by Elsabeth Boswell, my doghter. April 4, 1510, 1 Henry VIII. Memorandum that this sedull, set to this will, is that the seid Persiuall has bequest to certeyn childer of his childer, sech as he has not deliuerd in to the handes of their frendes, that they shall haue euery oon, in penny or pennyworth, at resonable tyme after his decesse to be paid by his executours 6s. 8d., that is to wete, to vj childer of George Friston 40d. Item to ij doghters of John Amyas 20d. Item to Alis Boswell 6s. 8d. Item to Agnes Jepson, nun at Kirkelees, 6s. 8d. Item to Isabell, wif of Walter Caluerlay, 6s. 8d. Item that the seid Persiuall by agreement of his executours will that John Amyas, sonne and heir of the said Persiuall, shall haue, in penny or pennyworth, in convenient tyme after his decesse, 6li. 13s. 4d., beside his rightfull heirelomes, so that he suffer his moder, and oder such as is appoynted in this will, to this sedule annexed. Proved May 29, 1510 (*Reg. Test.*, viii, 41d.)

Leonard Beamond of Horbury, aged 35 ; William Goodale of Horbury, aged 83, tenant to William Jagg' ; William Hochinson of Overshitlington, aged 79, tenant to Mr. Wortlay ; Robert Goodale of Horbury, aged 60, tenant to the King's majesty, testify as above ; also that oon Mres. Amyas, whiche was wyffe to oon Percyvall Amyas, awner of the landes nowe Mr. Cootes, on a tyme put her kyne in the same pasture, and when complaint was maid to her husband he was angry, and badde fetche thaym away, saing they shuld never come ther agayn.

Richard Methelay, aged 80 years, John Methelay, aged 60 years, William Bedffurth, John Dicson, Richard Wright, Nicholas Browne, Robert Thornes, Robert Megson, Richard Haigh, Jenkyn Methelay testify as above.

Here follow depositions on paper, dated 3 June, 35 [Henry VIII] (1543) :

Henry Cleyton of Shitlington, gent., Lawrence Best of Thornell Leys, husbandman, William Jackson of Shitlington, husbandman, John Bingley of Shitlington, husbandman, William Lyttelton of Shitlington, George Richardson, William Wilcocks, William Broke, John Gaunte, Robert Nettylton, and John Hall all of Shitlington, testify as other witnesses above.

Appended is the certificate of the said commissioners, of their having taken evidence both at Shitlington and Wakefield, and admonished the parties to abide their order, which all the parties then present were willing to do ; but because there was none present with any sufficient warrant and authority for the said Sir John Cootes to take the same, they could proceed no further therein, but gave a day to all the parties for their appearance. (*Ibid.*, vol. x, No. 203.)

No. XXXVI.

Interrogatories for the part of Humfray Cotes, squyer, ayenst William Selyook.

1. Wheder Symon Peryns was sesid in his demeane as of fee of 4 meses, 2 toftes, and oder landes in Gleddeles, co. York.^a

2. Wheder he granted and sette to ferme the premises to the said Humfray for terme of his lyfe, yeldying 32s. by yere.

^a Gleadless, a hamlet in the parish of Handsworth, 3½ miles south-east of Sheffield.

3. If eny suche lees were made, where it was made, and what tyme, and how long sithen.

4. Wheder the said Humfray paid 5 markes to the said Symon to have the said lees.

5. Wheder William Seliokke was sesid in his demeane as of fee of the said tenementes.

6. Wheder Symon Peryns sold the premises to the said William Seliokke.

7. If eny such were, wheder it was byfore ye lees made to the said Humfray.

8. Wheder William Seliokke recovered the premises ageynst Symon Peryns.

9. If eny such recovere were, wheder it was by covyn to defraude the said Humfray of his lees.

10. Wheder the said Humfray entered into the premises ryotously and with force, and made assaute upon Richard Wodhouse, one of the tenants of the said landes, and hym sore bette and wounded.

Depositions taken in answer to the above 24 October,
7 Henry VIII (1515).

John Hyll of Gledeles, nayler, aged 32 yeres, deposeth that :

1. After the dethe of oon Peryns, whose name this deponent remembreth not, Symon Peryns, his soon, came to Gledeles, and there entred and toke possession of 4 meases, 2 toftes, and other landes, as heir to his said fader, without any inter-upcion.

2. About Martylmas was tweluemoneth, yn the presence of this deponent, the seid Symon graunted and lette to ferme the premises to Humferey Cotes durying their two lyves, paying therefor yerely 32s.; and theruppon Humfrey wold haue had wrytyng therof, and Symon answered and seid his word shuld be as good as his wrytyng. Wherfor Humfrey forgaue^a the seid Symon for the same graunt 5 markes, which he had borrowed of the seid Humfrey before that tyme, but how long before he knoweth not.

3. The same graunt was made by the seid Symon yn a barne of a tenauntry of his at Gledeles aforeseid.

5. William Selyok neuer was seased nor toke possession of the seid landes to the knowlege of this deponent.

6. He knoweth not.

^a 1744. A fine, or foregift, was paid to the late Lady Stapleton upon her granting each of the aforesaid leases (*North Riding Records*, viii, 109).

7. The seid Selyok never made clayme to the seid londes before the seid graunt made to the seid Humfrey, but sithens.

8 and 9. He knowith no thyng therof.

10. The seid Humfrey, after the seid graunt made, peasibly entred yn to the seid landes without interupcion of eny man, and never made assaute upon Richard Woodhous to the knowlege of this deponent.

William Fox of Gledeles, colyer, of thage of 30 yeres, deposeth yn effecte yn euery thyng with the seynges of the seid John Hyll, for he seith he was present with the seid John Hyll at the bargayn made betwene the seid Symon and Humfrey. (*Ibid.*, vol. x, Nos. 275, 276.)

No. XXXVII.

To the kyng our Souereingne lorde.

Humbly shewith and compleyneth unto your hyghnes your feyghtfull subiect and dayly orator, John Coplay,^a esquier, that wher your seid subiect and orator and his auncestours, whoes heir he ys, were by the space of two hundryth yeres and aboue laufully seased by gode and iust title of and in the maner of Malses^b with thappurtenances in the countye of York in their demean as of fee, and your seid orator and his seid auncestours by the seid tyme dyd take [the rentes] and the profettes therof pecyibly, so yt ys, most drad souereingne lorde, that your seid orator being seased of the seid maner one Hugh Blakey of Malses, yoman, without any maner of title or ground, hath of late, that ys to say, in the ——— day of ——— in the ——— yere of your moste noble reign, with force of armys, in ryotouse maner and agenst your peace, entred in to the seid maner uppon the possession of your seid orator, and wrongfully expulsed the same your orator from the possession of the

^a John Copley, son and heir of John Copley, esq., was aged 26 at the death of his father on Dec. 13, 1 Henry VIII (1509) (*Ch. Inq. p. m.*, xxiv, 80). His *Inq. p. m.* was taken at Aberforth before John Barton, esq., the escheator, on Nov. 4, 35 Henry VIII (1543). He died seised of the manor of Sutton, and property there and in Mawseys, held of William Vavasour, esq., as of his manor of Addyngham, by a yearly rent of 10s. and unknown service. On Dec. 4, 31 Henry VIII (1539), he settled the manor of Malseys and lands, etc., there and in Morehowse by Hampull and elsewhere in tail male, on his son and heir, Alvered, and Joan, dau. of Richard Beamonte, esq. He also made settlements for life on his sons, Thomas and Henry. His sisters Anne and Joan Copley are mentioned. He also died seised of the manors of Collynge, Okeworthe, Sowod, and Batlaye (*Ibid.*, lxviii, 16).

^b Malsis, between Keighley and Skipton-in-Craven, about two miles west of Kildwick station.

same maner, and the same Hugh sythen hys seid entre hath in forcyble and ryotouse maner, that ys to say, with bowes, arrowes, stonys, and hote water and subiect from the possessyon of the seid maner, and as yet kepyth your seid orator and subiect from the possessyon of the same maner, and hys seid unlaful entre in theseid maner, hath unlafully pulled downe, wasted, and distroyed diuers howses and buyldynges, hedges, and other enclosures of the same hath cut downe a great part of the woodes growyng uppon the same maner. And the seid Hugh, of hys furdereuill dispocision, hath many and diuers nyghtes within ——— yeres now last past put his catell in the pastures and medowes of your said orator and subiect, being parcell of hys maner of Sutton,^a wher the seid catell distroyed the grasse of your seid orator, and when they had so don the seid Hugh toke them owt ageyn erly in the mornyng to the grete losse and hyndrance of your seid orator and to hys expresse wrong. And also the seid Hugh syth the ——— day of ——— hath dyuers and many tymes dystroyed the corne medowe and pasture of the tennautes of your seid orator of hys seid maner of Sutton, so that the seid tenautes by the meanys be not able to pay their rentes due to your seid orator. And ouer that the seid Hugh sythen the fest of Easter last past hath eight seuerall tymys broken the comen pound in Sutton, and toke out of the same pound his catell, being lafully impounded in the same for hurtes and damages don to your seid oratour and to his tenautes of his seid maner of Sutton; and also hath diuers tymes thretened diuers wayes the seid tenautes of your seid oratour for impoundyng of the catell of the seid Hugh. And furdereuill the seid Hugh, to thentent he may contynue in hys evyll doynges and not to be lett therof, hath without any maner of ground or cause procured dyuers warantes agenst the seruantes of your seid oratour for the peace, surmyttyng that he hath ben afrayd of bodyly harm by them, which was not true, and by meanys therof caused diuers of the seruantes of your seid oratour to be attached and troubled in such maner and fourme, that they dare not goo about the busynes of your seid oratour. And also the seid Hugh, of hys maliciouse mynde and evyll dysposycion, sythen Easter last past, with an axe dyd cut at peces the stokes, made and ordained by the inhabitants of Sutton aforeseid for the punyshment of vacabondes and beggers accordyng to your lawes, and dyd cast great peces of them in to the fyre; whiche aforeseid euill actes of the seid

^a In Kildwick parish.

Hugh wilbe a perilous example to like offenders onlesse the seid Hugh may haue condigne punishment for his seid offences. In consideracion wherof yt may please your highnes to direct your gracious wryt of *sub pena* to the seid Hugh Blakey, comandyng hym by the same to appere be fore your highnes and your most honorable Councell in the Sterred Chamber, etc. (*Ibid.*, vol. xi, No. 50.)

No. XXXVIII.

The repleycacion of Sir Thomas Curwen, knyght,^a to the answeare of Richard Carte and other the tennauntes and inhabytauntes of Esingwolde and in Huby.

The seid Sir Thomas Curwen seyeth that his seid byll of compleynt is certen, true, and sufficient in the lawe to be answeyrd unto, and noo parte of the matter theryn conteyned feyned or imagyned for or to eny such intent or purpose as by the seid answeare is supposed, but the seid Sir Thomas Curwen seieth that the seid answeare is uncerten, untrue, and insufficient in the lawe to be replyed unto, colerably and craftely imagyned and contryued, to thentent to cloke and hyde the manyfold offences, ryottes, and other mysdemeners of the seid defendauntes, by them commytted and don in maner and forme as by the seid byll is allegged. And the seid Sir Thomas Curwen further seyeth that the seid Richard Carte and other the seid defendauntes be and, euery of them is, gyltye of the seid ryottes by them wrongfully commytted and don in such maner and forme as by the seid byll is allegged. And further seyeth thatt the seid howse, wheryn the seid defendauntes haue allegged a wever to dwelle, was buylded and made only for a lodge for the keper of the seid south parte of the seid foreste^b for the sauegarde and mayntenaunce of the kynges dere or game there, and nott for eny wever to dwelle in. And also the seid cotage was buylded and made to kepe in the lyeme houndes^c of the seid keper, and for none other intent or purpose. And the seid Sir Thomas Curwen further seyeth in all thynges as he in his seid byll of compleynt hath before seyed and allegged,

^a The will of Sir Thomas Curwen, of Workington, made in 1543, has been printed in *Richmondshire Wills*, p. 44. His *Inq. p. m.* for the county of Cumberland (the only one) was taken on Jan. 25, 35 Henry VIII (1543-4), before Henry Tolson, gent., the escheator. It is in such bad condition that only a very small portion can be read (*Ch. Inq. p. m.*, lxviii, 23).

^b The forest of Galtres.

^c Bloodhounds, because led in a lyam or lyeme, that is, a leash.

and shalbe att all tymes redy to auerre and proue the same to be true accordyng to theeffecte therof. And also seyeth that the seid defendauntes hadd noo auctorite to medle withyn the seid forest, nor eny thyng to doo withyn the seid foreste by reason of eny commaundement from the seid Justyce of the seid forest, or from the seid Rydyng foster, wythout that that there was eny such informacion made unto the seid lord Darcy,^a as by the seid answeare is supposed, or thatt there was, or is, eny such true cause of informacion to be made unto the seid lord Darcy, or that the seid lord Darcy dyd dyrecte or make his letters unto the seid William Hungate and Sir Roger Cholmeley for eny such intent or purpose as by the seid answeare is supposed, or that the seid William Hungate and Sir Roger Cholmeley by eny commaundement from the seid lord Darcy, or for eny such intent or purpose as by the seid answeare is supposed, dyd assemble or take with them the seid Richard Carte, or eny other of the seid defendauntes, or hadd eny such auctorite so to doo in maner as by the seid answeare is untruly allegged. Butt the seid Sir Thomas Curwen seyeth thatt the seid defendauntes, intendyng the only dystuction of the kynges dere withyn the seid Forest, and to thentent thatt the keper shuld nott lye withyn the seid Forest nyghtly, so that the seid defendauntes therby myght compelle and dryue the seid keper to lye out of the seid Forest, wherby the seid defendauntes myght the better opteyne their purpose to kyll and distroye the kynges dere there; and also of only malyce which the seid defendauntes dyd bere and oughe unto the seid Sir Thomas Curwen and his seid seruant, the same defendauntes of their wylfull myndes dyd ryottuously and with force and armys pull downe the seid lodge and cotage, and made other distrucion and wast withyn the seid Forest, without that that the seid howse and cotage were buylded for or to eny other intent or purpose then is before in this replycacon allegged; or that the seid howse and cotage were, or either of them was, buylded or sette uppe to eny hurte or nocument of the seid Forest or of the dere there; or thatt there dyd eny wever dwelle in the seid howse; or thatt there dyd use to resorte unto the seid howse eny such companye, as by the seid answeare is allegged, in maner and forme as by the seid answeare is also untruly allegged; and without thatt thatt the said Thomas Key hadd or dyd at eny tyme wrongfully make eny inclosures withyn the seid Forest, to the hurte or preiudyce of the kynges

^a Thomas, Lord Darcy of Templehirst, 1509-38

dere, or eny such inclosures as by the seid answere is supposed ; or that the seid Thomas Key doth kepe such a nombre of besse withyn the seid Forest, as by the seid answere is allegged. Butt the seid Sir Thomas Curwen seyeth that the seid Thomas Keye doth kepe certen besse withyn the seid forest, as the other under keepers there doo, for the which he payeth a certen rent or some of money yerely to the receyuor of the maner of Sutton,^a belongyng to the Castell of Shereft Hutton ; and without thatt thatt eny other thyng in the seid answere conteyned materiall to be replyed unto, and nott before confessed, aduoyded, ne trauersed, is true. All which matters the seid Sir Thomas Curwen is redy to proue as this honorable Court wyll award, and prayeth as he hath before prayed. (*Ibid.*, vol. xi, No. 130.)

No. XXXIX.

To the kyng our soueraigne lorde.

In there most humbly wyse shewen and compleyn unto your most excellent highnes your true and faithfull subiectes and daily orators, Arthure Darcy, knyght,^b and Roberte Chaloner, gentylman, that where one Elezabith, prioress of the house of Gaukwell^c in youre countie of Lyncolne, and the susters of the same place, were seased in theire demeane as of fee as in the right of theire seid churche of and in the manor of Balme^d with appurtenaunces, clx acrez of land and wodd, sett and lying in the towne of Balme, and so ther of being seased the seid prioress, for a certen some of money by your seid orators to the seid prioress payde, to the gret comforth of the seid prioress and of her susters, bargayned and sold unto the seid Sir Arthure and Roberte vj^e and xxx^{ti} okes to be taken within the seid manor and other the premyssez, by reason whereof the seid Sir Arthure and Roberte hired diuerse pore laborers to fell the same to thuse of your seid orator, which workemen applying themselfe in the cutting down of the seid okes. So it is, most drade soueraigne lorde, that the xvj^{ne} day of Marche, in the xxj^{te} yere of your most excellent reigne (1529-1530), one Anne Newell, wydowe, bering malice and displeasure

^a Sutton-on-the-Forest.

^b Probably the second son of Thomas, Lord Darcy, mentioned in the last document.

^c Goxhill, in Lincolnshire, 2½ miles south of New Holland, the site of a priory founded by William de Alta ripa for Cistercian Nuns about 1185.

^d Balne, in the parish of Snaith.

aswell unto the seid prioresse as to your seid orators, riottously assembled and gaderyd together at Balme forseid one William Arkesay, William Storr, William Stansfeld, Roberte Yong, John Smythe, John Scotte, Thomas Watson, John Clayton, John Middelton, Roberte Burgone, Richard Nayler, and Richard Browne, and other to your seid orator unknowen, being arreyd with swerdes, bukellers, billes, and other unlauffull weapons, which riottous persons the seid day and yere manyshed and gave gret threateninges unto the seid workemen, commaunding them apou payne of their lyves to avoyde and no furdur to medle with the cutting downe of the seid wodd; by meanes wherof they were compelled to departe frome their seid worke for fere and juperdie of their lyves. And the seid Anne Newell and other beforname riottous persons, with their seid riottous demeanours not contentyd and pleased, but of their furdur ungracious myndes and ententes, the xvij^{ne} day of the seid moneth of March, riottously, with force of armes, dyd fell and cut downe a grett quantitie of the seid wodd, and the same toke and caried away agaynst your lawes and peax, soueraigne lorde, whereapon your seid orators complayned unto the right honorable Councell of the right myghty prince Henry, Duke of Richemond and Somerset,^a which seid Councell made sundry decrees and orders towching the seid riottous demeanours, which orders and decrees the seid Anne Newell hath broken and in no wyse will obey and performe the same, to the most evill example of all your subiectes in those parties abiding. And your seid oratours, perceyving the wilfulnes of the seid Anne Newell that she wold not stonde to the orders and decrees of the seid Councell, they therfore complayned unto your Justice of assize at your cite of Yorke, apou which complaynt the seid Anne Newell and other the before namyd riottous persons according to your lawes were indited of the seid riotte before your seid Justice of assize, holden at your seid Citie in Lent last past. In consideracon wherof myght it please your excellent highnes of your most abundant grace, the premyssez tenderly considerit, to graunt seuerall wryttes of *suppena* to be directyd aswell unto the seid Anne Newell, William Arkesay, William Sterre, William Stanfeld, Roberte Yong, and John Smythe, and to all other the aboue named riottous persons, comaunding them, and euery one of them, by vertue of the same, personalle to appere

^a Henry Fitzroy, son of Henry VIII and Elizabeth Blount. For a full account of him see *The Camden Miscellany*, iii.

before your highnes and the lordes of your most honorable Councell in the Starre Chamber at Westminster, etc.

Endorsed: Before the lord the king and his counsell at Westminster in one month from Easter next to come, viz. 22 Henry VIII (1531). (*Ibid.*, vol. xii, No. 106.)

No. XL.^a

Thanswere of Sir John Tempest,^b knyght, to the byll of complaynt of Sir Arthur Darcy, knyght.

The said Sir John Tempest sayth that as to any ryott, force, or armes, assaltes, and all other mysdemeanors, supposed by the said bill of complaynt to be done by the said defendaunt agaynst the kynges ma^{ties} lawes or peace, the said defendant ys not therof, nor of any parte or parcell therof, gyltie. And for further declaracion of the trouth in the premysses and for answeare unto the said bill, your said defendant sayth that he ys laufully seased of one estat of enherytanc by iust tytyle frome hys auncestors to hym descendyd of and in the manor of Bracewell wyth thappurtenaunces, in the parysh of Bracewell, wherof the ground called Heskett, mencioned in the said bill of complaynt and supposed by the same to be wast ground, ys parcell. And y^e said defendant further sayth that y^e said ground called Heskett ys no wast ground, nor haith ben tayken for any wast ground thatt any man can remembre, butt ys one inne ground enclosed w^{ith}in the said manor of Bracewell, wherof twelve acres or therabowte, parcell of the said ground called Heskett, lyeth adioynyng to the commyn or wast of Gysburne. And because the cattell, goyng uppon the same xij acers, shuld not come by any escapes uppon y^e said common or wast of Gysburne, the tenauntes of Gysburne aforesaid in tyme past cast a dyche betwene y^e said xij acres and y^e said common of Gysborne, and made a hedge and a fence uppon y^e same, w^{ch} ys yerely kept and remeaneth at this day, at there owen charges. And y^e said tenauntes and inhabytantes of Gisborne haue made one yate and had one weye through y^e same, ledyng to the lordshipp of Bernoldswik and other places there adioynyng, w^{ch} said twelve acres and all the rest of y^e ground called Heskett this said Sir John Tempest and his

^a Bill wanting.

^b Eldest son and heir of Sir Richard Tempest, knight, a commander at the Battle of Flodden, who died on January, 1537-8. Sir John Tempest died without issue on Nov. 16, 1565.

auncestors haue peceable occupied and enioyed by theym self and by there tenauntes wthowt any interupcion by the space of thre skore yeres and more. And this said Sir John and hys auncestors haue ben by all the tyme aforesaid answeyrd of hys said tenauntes of Hesket aforesaid of y^e yerely rentes and profettes of this same, and yet haith and occupieth the same as well and laful ys for hym to do. And further sayth that there was one hous buylde by hys auncestors uppon this said xij acres, parcell of y^e said ground, for a hyrdman to duell in, for y^s necessary use of y^e owners of y^s said manor, when they were dysposed to keape cattall there, w^{ch} decayd in the lyf of Sir Richard Tempest, knyght, late father to y^e said defendand, who then caused the tymbre y^t remayned therof to be taiken downe and to be brought to hys manor of Bracewell, and commytted y^e occupacon therof to other uses. And after y^e deceasse of y^e said Sir Richard and w^{ith}in theyse two yeres last past y^e said defendand buylded and sett upp such lyke house of y^e said ground, and now of late haith for a yerely rent let y^e same house and xij acres ground to one William Wylkynson, named in y^e said bill, to hold y^e same at y^e wyll of the said defendand, w^{ch} Wylliam, by vertue therof, occupieth y^e same, and payth rent therefore unto y^e said defendand accordynglie. And y^e said defendand further saith that he comandyd y^e said Wylliam Wylkynson, hys tenaunt, that in case any cattall of y^e tenauntes of Gysborne aforesaid came uppon the said ground, that he shuld peceable dryve theym owt of the same, who accordynglie, at such tyme as y^e cattell of the said tenauntes of Gysborne brake in to the said ground, dyd dryve theym oute, as lafull yt was and ys for hym to do, wythowt that that the said complaynaunt by hys good iust tytle or lafull inherytaunce in the law ys seased of y^e said manor of Gysborne wth thappurtenaunces to y^e knolege of y^e defendand ; or that there ys any parcell of wast ground in Gysborne aforesaed called Heskett ; or that y^e said ground conteyneth one hundreth acres of land, or y^e parcell of the demeane landes of y^e same manor of Gysborne, as in y^e said bill ys untrewly alledgyd ; or that y^e tenauntes of y^e said manor of Gysborne, and all those whose estate they now haue in there seuerall tenauntes tyme owt of mynd, haue used and accustomed to haue common of pasture wth all maner there beastes and cattell in y^e same ground called Heskett ; or by all y^e same time haue peceable or quyetly taken y^e profettes of any common there wth there beastes and cattell, as in y^e said bill ys also untrewly alledgyd ; and wthowt that

that y^e said Sir John Tempest, James Wylkynson, and Wyllyam Wylkynson, Richard Wylkynson, and Christofo^r Wylkynson, or any of theym, or any other to y^e knolege of this defendant, wth any force or in any other ryottuose maner entryd in to y^e said ground called Heskett ; or y^e same haith enclosed wrongeffully from y^e said compleynaunt and hys tenauntes aforesaid ; or made any assalt uppon any of y^e said tenauntes ; or theym dyd bete, wound, or evyll entreat ; or wrongeffully dystreyned y^e beastes and cattall of y^e said tenauntes or drove theym in to foreyn places unknowyn to y^e said tenauntes, as in y^e said bill of compleynt untruely and slanderously ys alledgyd ; and wthowt that y^t y^e said Sir Arthur Darcy, or any of hys tenauntes of Gysborne, haith any tytle or interest of commen in Heskett aforesaid, as ys also untrewly alledgyd ; or y^t ye said Sir John Tempest, or any other of y^e said parties named in y^e said byll, haue buylded any houses or tenementes uppon y^e said ground, and devyded y^e same ground by seuerall enclosures otherwyse or in any other maner then as in thys answe^re ys before confessid and alledgyd ; and wthowt that that any other thyng^e or matter effectuall or materyall in y^e said bill conteyned, and in thys answe^re not fully answe^ryd unto, confessid, and avoyded, denyed, or trauersid, ys trew. All w^{ch} matters y^e said defendaunt y^s redy to verefye as thys honorable court shall award, and praith to be dyscharged owt of y^e same wyth his reasonable costes and expences for hys wrongeffull vexacion in y^{is} behalf sustayned. (*Ibid.*, vol. xii, No. 107.)

No. XLI.

To the kyng^e our souereigne lorde.

In his moste humble wyse compleynyng shewyth unto your moste gracious hightnes your poure subgett and dayly orator, Robert Davell,^a that where Robert, pryor of the monastery of our Blyssyd Lady of Newburgh, and couent of the same place, was seasyd in theyre demeane as of fee of and in the parsonage of Greate Thurkylby and Lityll Thurkylby,^b wyth vij oxgane of glebe lande, as approp^ryate to the seid monastery in the right of theyre monastery as person in persone ; and so therof seasyd, the xijth day of May, in the xxvijth yere of your moste noble reigne (1535), dyd demyse and lett to ferme to your

^a Robert Davell, of Coxwold. His will, proved Feb. 3, 1538-9, is printed in *Test. Ebor.*, vi, 76.

^b Thirkleby, a parish four miles south of Thirsk,

seid subgett all the tythe greyns of Great Thurkylby and Lytyll Thurkylby aforeseid, To haue and to hold all the seid premisses to the seid Robert Davell and his assign frome the feaste of the Purificacion of our Lady nowe laste laste [*sic*] before the seid xijth day of may unto thende and terme of xxi^{ti} yeres then next comyng, yeldyng and paying therfor yerely unto the seid prior and covent of ther successours yerely *vj*li. xiijs. iiij*d*.; by force wherof your seid poure subgett was therof possessyd accordyngly. So ytt ys, moste graciouse lorde, that one Edwarde Brande, John Mason, and John Thornton, with dyuerse other ryotouse and mysdemenyd persons, to the nombere of x, to your seid poure subgett unknowen, by the especiall comaundement of one William Fulthorp of Yselbek,^a esquyere, ryoutously with force and armys; that ys to sey, with bowes, bylles, swerdes, and buklers, the xxvj^{ti} day of Auguste in the seid xxvij^{ti} yere of your seid moste noble reigne, ryotously and with force, with oute any title or right, att Greate Thurkylby and Lytyll Thurkylby aforeseid, dyd take xxvj lode of whett and rye and xxx lode of barly and ottes, and xx lode of pece and benes, of the tythe corne of the seid parysche of Thurkylby, whiche of right dyd apperteyn unto your seid orator by reason of the seid lease, and withe force and armys and in ryotous manere the seid persons the seid corne, the day and yere aforeseid, dyd led and cary away from the seid townes of Thurkylby unto the mansion house of the seid William Fulthorp of Yselbek' aforeseid; and the same yett wrongfully kepyth and deteynyth, to the moste perilous example that can be and to the uttere undoyng and ympoueryshment of your pure subgett, if reformation theryn by your moste graciouse highnese be nott provydyd. In consyderacion wherof ytt wold please your highnes of your moste aboundante grace, the premisses tenderly consyderyd, to graunte to your seid poure subgett your graciouse wrytt of

^a Islebeck, four miles south of Thirsk. John Fulthorpe, the last representative, was implicated in the Rising in the North, and executed. Little seems to be known of the family of Fulthorpe, of Thirkleby. The original seat of the family was at Fulthorpe, in the parish of Grindon, in Durham, between Stockton-on-Tees and Winyard, where the main line remained till the sixteenth century. A branch was settled in Cleveland, in the Kirkleatham neighbourhood, early in the thirteenth century (*Guisborough Chart*. (Surtees Soc., lxxxix), ii, 98). At what time the Fulthorpes came to Thirkleby is not clear, but from an inquisition taken at Thurkelby by Thresk on Tuesday after St. Hilary, 5 Henry IV (Jan. 15, 1403-4), it was found that William Fulthorpe, knight, was then possessed of the manors of Thurkilby and Iselbek by Thresk, with property in Thresk, Gowthorpe by Fangfosse, and Yolethorpe (*Inq. p. m.*, 5 Henry IV, No. 55).

suppena to be dyrectyd to the seid Edward Brande, John Mason, and John Thornton, comaundyng theym and eury of theym personally to appere before your highnes in the Stere Chambere att Westmynster etc.

[Signed:] Ric' Yonger.

Endorsed: In the quinzaine of Easter. (*Ibid.*, vol. xii, No. 122.)

No. XLII.

To the kyng our soueraigne lorde.

In his most humbly wyse shewith and complayneth unto your most excellent highnes your true faythfull subgiet and daily orateure, Roberte Davell, that where one Roberte, prior of the monastery of oure Blyssid Lady of Newbrough, and the couent of the same, were seased in their demeane as of fee as in the right of the seid monastery, of and in the parsonage of Grett Thurkelby and Litle Thurkelby, wyth all the glebe, landes, medowes, pastures, closes, tithe, corne, and all and singler other profettes belonging to the same; and they, so being seased, by their indenture bering date the xxj day of May, in the xxvij yere of your most rioall reigne (1535), sealid with their comon seale, demysed the premysse to your seid orator and his assign frome the feast of Pentycost then next folowing unto thende and terme of xxxj yeres then next ensuyng fully to be complete and endid, yelding and paying therfore unto the seid priour and couent and their successours a yerely rent betwene them agreed; by vertue wherof your seid oratour entred into the premysse and was therof possessid accordingly, and the same pesably held occupied and inyoed bye a certen tyme and unto the xxvi day of August in the seid xxvij yere of your most noble reigne, that one Rauffe Hedlame, esquier,^a John Fulthrop, esquier, Wilfride Fulthrop, gent., Thomas Fulthrop, gent., John Warde, yoman, Rauffe Milborn, Godfrey Stanus, and John Hochenson, riottously and also accompayned with certen other riottous persons, to the number of xlvj persons, to youre seid oratour unknowen, by the comaundement of William Fulthrop, esquier, came riottously and with

^a May 16, 1544. Administration of the goods of Ralph Hedlame, of the parish of Aiton, in Cleveland, esq., intestate granted to Isabel, the relict, and to Thomas Fulthorpe, gent., her husband (*Cleveland Act Book*). The date of his *Inq. p. m.* is illegible, but it appears he died on March 10, 35 Henry VIII (1543-4), seised of the manor of Nunthorpe, etc., held of Sir John Conyers, knt., Lord Conyers. William, his son and heir, was aged one year (*Ch. Inq. p. m.*, lxxi, 170).

force into the felde of Gret Thurkelby and Litle Thurkelby forseid, that is to say, the seid riottous persons, haveing bowes, arrowes, billes, clubbes, pycheforkes, and other weapons of defence, and then and there riottously toke and caried away xx^{ti} loodes of whete, ten loodes of rye, xx^{ti} loodes of barley and ottes, and ten loodes of pease, being the tithe corne of the seid parsonage, of right belonging to your seid orator, which corn the seid riottous persons did carie unto the mansion house of the seid Wylliam Fulthrope, where they haue conuertid the same to their oune uses, to the utter undoing of your seid oratour, and also, most drad soueraigne lorde, agaynst your peax and lawes, to the most worst and perilous example of all other your subgiettes in those parties abiding, if conding punyshement by your highnes be not hadd and provided herin. In consideracion wherof myght please your highnes of your most abundant grace, the premysses considerit, to graunte wrytes of *suppena* to be directid aswell unto the seid William Fulthrop, Rauffe Hedlame, John Fulthrop, Wylfride Fulthrop, as all other the aboue namyd riottous persons, commaunding them, and euery of them, personally to appere before your highnes and the lords of your most honorable Councill in your Starr Chamber att Westminster, etc. (*Ibid.*, vol. xii, No. 125.)

No. XLIII.

To the kynge our souereygn lorde.

In hys moste humble wyse shewyth unto your highnes your dayly orator, John Dawne^a withyn your countye of Yorke, esquier, that where your seid orator and his auncestors, tyme wythout mynde of man, haue byn peasybly seassed of a medowe called Sukerryng in Ceasey in theyr demene as of fee ; and your seid orator beyng thereof peasebly seased in fee by cours of discent as his lawfull inherytaunce, one Roger Lasselles, esquier,^b

^a John Dawnay, of Sessay, was eldest son of Sir Guy Dawnay, of Cowick, knt., and Jane, sister and heiress of Thomas Darell, of Sessay. Administration to Sir Guy's estate was granted on Sept. 19, 1522, to lady Joan, the relict, John West, chaplain, and George Norman (*Reg. Test.*, ix, 335). John Dawnay married in 1514, at Snape, Dorothy, dau. of Richard, Lord Latimer (*Test. Ebor.*, iii, 368). He was knighted on Candlemas Day, 1536-7 (*Book of Knights*, 1426-1660, p. 66). High Sheriff of Yorkshire, 1544. Died 6 non. Martii (March 2), 1553-4, his wife having died on 10 kal. Nov. (Oct. 23), 1532 (*Foster's Visitations of Yorkshire*, p. 80).

^b May 24, 1551. Roger Lasselles, off Brakanburghe, knyghte, Makes charitable bequests to many parishes, and for mending bridges and "cawsayes." Christofer Lasselles, s. and h., a cheayn of golde in valew by estymacion

the xxijth daye of June last paste, Robert Freer, Wylliam Marshall, Rychard Walker, Willyam Cattall, and John Hawkyns, with dyuers other riottuos persones unknowne to your seid orator, to the nomber of ix or x, by the commaundement of the seid Roger, the same daye, at hys owne place, callyd Brakyngbargh, riottuosly assembled theym selves, that ys to saye, wyth bowes, arowes, bylles, and gleves, and other armor infensyve and defensyve, after the maner of warre arrayed, and from thens the same daye they wyth suche armor and arraye ryottuosely went to Ceasey aforseid with theyr bowes redy bent and arowes in theyr handes, redy to shotte yf any maner of persone wolde haue counterd or ageynseyd their peruerse mynde, and then and there with suche force the seid Roger Lasselles caused the seid medowe to be moweed, and incontynently the seid gresse so mowed to be caried away to a tenauntes howse of his owne in Ceasey aforseyd, called Richard Wryghtes, ageynst all lawe and consyens. And further the seid Lasselles wyth suche riottuose maner went to a certen oxpasture of your seid orators, callyd Northemore, in Ceasey aforseid, and then and there dyd bounde and trase out the seid grounde to thentent to make hyt his seuerall pasture, to the utter losse of your seid orator, and to the most perolous insample of all the hole contrey, except your hyghnes see condigne punyschement in the same. In consideracyon whereof yt may please your highnes the premysses to consider and to graunte your seuerall wryttes of *subpena* to be dyrected as well unto the seid Roger Lasselles as unto the seyde other offenders, commaundyng theym, and euery of theym, personally

cccxli., etc., and all my chappell stuff, as challes, vestmentes, bokes, and all other thinges belonginge or apperteininge to the sayd chappell. Rem. to Frances Lasselles, s. and h. appayrante of the sayd Christofer. Wife Margaret ij flatt saltes of silver parcell gilte, which was laite mayde, and a dozen of siluer spones, which was laytely mayde at Yorke, a goblet of silver gilte, one of the three that maketh the neste, a bowle of silver, which I was accustomed to eate mylke in. Bastard son Francis Lasselles. Son Cristofer Lasselles and dau. Margaret, his wife. Brother John Norton. John Laselles, of Newcastle. Cousin Clare Stockedale. Brother Charles Dransfeld. Thomas Barton and my cousin, his wife. Cousins Ric. Bowes and Sir Robert Bowes, knt. Niece Clare Laselles, towards her marriage, 40*li.* Cousins Ralph Rokeby and his wife. George Lasselles. Proved May 21, 1552 (*Reg. Test.*, xiii, 873). According to his *Inq. p. m.*, taken on Oct. 25, 5 Edw. VI (1551), Sir Roger Lassells, knt., died on June 30 previous, his son and heir, Christopher, being forty and upwards. He died seised of the manors of Sowerbie (53 *li.* 6*s.* 8*d.*), and Brackenburge (24 *li.*), both held of the earl of Derby as of his manor of Thriske; Newsam, held of Lord Burgh as of his manor of Easby, and of the manor of Moulton, of a fourth part of the manors of Swaynby, South Cowton, and Atley Cowton, of one fifth part of the manor of Little Thirkilby, and also of the grange of Arlathorpe and of six burgages in Rippon (*Ch. Inq. p. m.*, xciii, 83).

to appere before your highnes in your Sterre Chamber at Westminster, etc.

[Endorsed:] In the quinzaine of Michaelmas. (*Ibid.*, vol. xii, No. 164.)

No. XLIV.

Thanswer of Walter Delaryver to the byll of compleynt of Thomas Delaryver.

The sayd defendaunt saythe that unto all ryottes, forcyble entres, unlauffull assembles, manassys, woundes, beatyng, and unto all other mysdemeanours, sumytted by the sayd byll to be done by the sayd defendaunt agaynst the kynges peas, that he ys therof, and of every part therof, in any wyse not gyltye. And to the resydue of the matters comprehendyd in the sayd byll the sayd defendaunt saythe, that one Thomas Delaryver, father to the seyd compleynaunt, and the seyd compleynaunt, by the name of Thomas Delaryver,^a son and heyer of the seyd Thomas Delaryver theldar, in consyderacion of a maryage had and solempnysyd betwyx the seyd defendaunt and Kateryn, hys wyffe, doughter of syr Edward Gowre, knyght, befre the feast of Crystmas, whiche was in the yere of owre Lorde God a thowsand fyve hundreth twenty and seven,^b dyd infeoff Syr Marmaduke Constable, knyght, and other of and in the seyd londes and tenementes in Steresbye, mencionyd in the seyd byll amongst other, to thuse of the seyd defendaunt and Kateryn and of the heyres of theyr two bodyes lauffully begotten. By force wherof the seyd Sir Marmaduke Constable and other hys cofeoffes were of all the seyd londes and tenementes and other the premissez seasyd in their

^a Thomas, son of Thomas Delariver, of Brandsby and Stearsby, married Anne, dau. of Robert Lascelles, by whom he had the above-named Walter Delariver, who married, in 1527, Katherine, dau. of Sir Edward Gower, of Stittenham, knt. Roger Delariver mentioned above was Walter Delariver's younger brother. He died without issue. The bitter feeling between father and son, which is made manifest by these proceedings, was, no doubt, owing to the fact that the father had illegitimate children, to one of whom, who married Roger Cholmley, the Delariver property ultimately descended, as Walter Delariver died childless. Thomas Delariver, the elder, died on April 24, 21 Henry VIII (1529), Thomas, his son and heir, being aged forty. Thomas, the elder, had, by deed dated April 12, 11 Henry VIII (1520), made a settlement on his marriage with Katherine, daughter of John Pulleyne, esq., who survived him (*Ch. Inq. p. m.*, vol. xlix, No. 56).

^b This settlement is dated Jan. 17, 18 Henry VIII (1526-7). The trustees were Marmaduke Constable, junior, and Ralph Ellerker, junior, knts., Thomas Maleverer and Ralph Bulmers, esqs. The property settled included the manors of Brafferton and Brandisby (*Loc. cit.*).

demeane as of fee to thuse afforsayd, untill the further day of February in the seven and twenty yere of the reygne of our soveraygne lorde the Kyng that nowe ys (1535-6). At whyche day the sayd defendaunt and Kateryn were of all the same premisses lauffully seasyd in theyr demean as of fee tayll by reason of the statute lately made for the extenguysshement of uses. By reason wherof the seyde defendaunt takyd the profyttes therof, as lauffull ys for hym to do, wythout that that the seyde compleynaunt by any just and lauffull tytle of dyscent after the deyth of the seyde Thomas Delaryver thelder was seasyd in hys demean as of fee of and in the seyde manor of Brandesby and Steresby mencionyd in the seyde byll; or that that the seyde compleynaunt had and injoyed thyssues and profyttes of the same premyssez by any lauffull tytle; or that that the seyde defendaunt and the seyde Roger Delaryver and the seyde John Thomson, or any other ryotous or evyll dysposyd persons, to the nomber of syx and above, the fyrst day of Decembre last past, or at any tyme sethyns, in any such ryotous maner or wyth any suche wepons, as ys mencionyd in the seyde byll, or contrary to the lawes and peas of our sayd soveraygne lorde, dyd unlauffully assemble themselffes togyther and without any just tytle or ryght dyd entar into the sayd manour wyth thappurtenaunces; or then or ther dyd sore manyshe and threaten any of the fermours, occupyars, and tenauntes of any parcell of the sayd manour; or them sore bete, maymyd, and wounde; or that the sayd persons dyd in any forcyble or ryotous maner unlauffully enteryd (*sic*) into theyr houses, cotages, and tenementes, whyche they holde as parcell of the seyde manor of the seyde compleynaunt; or that that the seyde persons dyd breake and cast downe any of the doores and walles of the same houses; or that that the sayd persons in any vyolent maner dyd cast owt of the seyde houses upon the dong hepe, or any other vyle places, any implementes and household stuff of the seyde tenauntes and fermours in maner and forme as ys untruly allegyd in the seyde byll; and wythout that that the seyde persons of any further mallice dyd breke or cast downe the hedges, quyksettes, and dyckes of the seyde tenauntes about thayr severall pastures and closures; or wythin the same dyd unlauffully take, dryve, and carry away from the seyde manor twenty of the kene and other cattell, and them of long tyme after dyd deteyn and kepe; or that that the seyde persons do manyshe and thret the seyde tenauntes, fermours, and occupyers, and other servauntes of the seyde compleynaunt, occupyars of the seyde manor, them to bete,

mayme, or wounde ; or that that they dare not medle nor occupy the same for the causes surmysyd in the seyde byll, to any thayr utter undoyng and dyshinheritaunce of the seyde compleynaunt in maner and forme as ys untruly allegyd in the sayde byll ; and wythout that that any thyng elles materyall or traversable in the seyde byll of compleynt other then by thys answer ys traversyd, confessyd, and avoydyd, ys trewe. All whiche matters the seyde defendaunt ys redy to meyn-teygne. (*Ibid.*, vol. xii, No. 176.)

The replicacion of Thomas Delaryver to the answer of Walter Delaryver.

The sayde Thomas for replicacion sayth, as he before in his sayde bill off compleynt hayth sayd, and averyth all and every thyng in the sayde byll to be trewe. And further sayth that the sayde Walter is gyltye of all the ryottes, forcyble entres, unlawfull assembles, manasses, wordes, beatyng, and of all other the nyndemeanors agaynst the kynges peace, mencyonyd in the sayde bill of complaynt, in maner and forme as in the sayde bill is surmyttyd. And further sayth that the sayde answer for dyvers apparant causez in the same is untrew, incerteyn, and insufficyent in the lawe to be replyed unto ; the advantage therof to hym savyd. For declaracion of the truyth concernyng the feanyd and surmysyd feoffament comprysyd in the same answer, he sayth that Thomas Delaryver, the father, was seasyd of and in the maners, londes, and tenementes, comprysyd in the sayde byll of complaynt in his demeane as of fee, and so seasyd, abowt xxxvj yerez past and more infeoffyd one Raulff Nevyll, Richard Mallyverye, esquyers, and others, to have and to hold to the sayde Rychard Mallyvere and his coffeoffez and ther herez to the use of the sayde Thomas, the father, for term of his lyffe, and after his deceasce to the use of the sayde Thomas Delaryver the yonger, nowe complaynaunt, and Ane, his wyffe, and of the heirez of the body of the sayde complaynaunt lawfully begotten. By force whereof the sayde Richard Mallyverye and other his cofeoffez were therof seasyd in ther demane as of fee to thuse aforesayd. And the sayde feoffez so beyng therof seasyd to the same use, the sayde Thomas the father therof infeoffyd Sir Marmaduke and other his cofeoffez in maner and forme as in the sayde awnswere is allegyd. And afterward the sayde Thomas the father dyed, after whose death the sayde Rychard Mallyverye and others his cofeoffez dyd reentre to the premissez, and were therof seasyd to the use of the sayde complaynaunt and Ane, his wyffe, and of the heirez of the bodye of the sayde complaynaunt.

And afterward, by reason of the statute laytly mayd for the extinguishment of usez, the possession of and in the premissez was lawfully vestyd and commyttyd in the sayd complaynaunt and Ane, his wyffe, accordyng to the foresayd use to theym appoyntyd as is aforesayd, withowt that that Thomas Delaryver the elder and the sayd complaynaunt, in consyderacion of mariage hadd and solempnysyd betwene the sayd defendaunt and Kateryn, his wyffe, dyd enfeoffe Sir Marmaduke Constable, knyght, and other of the londes and tenementes in Stersby, mencionynd in the sayd byll of complaynt, to the use of the sayd defendaunt and Kateryn and of the heirez of ther twoo bodyes lawfully begotton ; or that the sayd Sir Marmaduke and other his cofeoffez, by vertue of any such feoffament of all the premissez, or any parcell therof, were ever seasyd in ther demane as of fee to the use aforesayd ; or that the sayd defendaunt and Kateryn, his wyffe, by vertue of the statute mayd for extingwyshment of usys in the xxvij yere of the reing of our sovereyng lord the kyng, were of all the premissez seasyd in ther demane as of fee ; or that the sayd defendaunt by vertue of any such feoffament or statute may lawfully take the issuez and profettes of the premissez in maner and forme as in the sayd answeare untrewly is allegyd ; and withowt that other thyng comprysyd or mencionyd. (*Ibid.*, vol. xii, No. 177.)

No. XLV.

To the most reverent father in God, Thomas, lorde cardynall, legate *a latere*, archbisshope of Yorke and chaunceller of Yngland.

Sheweth unto your good and gracious lordship your dailie oratrix, Alice Dene, wedowe, late wif to George Dene of Stirton^a in the countie of Notyngnam, gentilman, that, where as oon Roger Banaster, late of Stirton beforesaid, gentilman, of his prepensid malice, violentlie and with force and armys, in right heynous maner, the xv day of Octobre in the xijth yere of the regne of our soveraign lorde the kyng that nowe is (1520), at a place called the Hall Woode in the parisshe of Stirton beforesaid, in the said countie, made assaute upon the said George Dene and theyr the same Roger the said George feloniously, violentlie, and heynously slewe and muredred, wherof the same Roger accordyng to the kyngis lawes is indited

^a Sturton-le-Steeple, near Retford.

before oon of the coroners of the same shire. And furthwith uppon the said murdre, thus by the same Roger commytted and doyne in the said shire of Notyngnam, Roger fled into Yorkshire, and ther is recetted, maynteyned, and borne by oon John Banaster, gentilman, father to the said murdrer, dwellyng in the lordship of Hatfeld in the countie of York. And forso-moch, good and gracious lorde, that the sayd heynous and violent murdre was thus commytted and done in Notyng-hamshire, and the said murdrer is recetted, maynteyned, and borne in Yorkshire, theyrfore your said oratrix can have none appell of murdre agaynst the sayd John Banaster, receptor and eider of the said Roger, wolde it theyrfore pleas your grace, the premisses tenderlie considered, and insomoch as the said John Banaster is dailie here present in Westmynster hall, to call hym before your grace and other the kyngis most honorable councell by a serjaunt at armes, ther tanswere to the said felonies and other mysdemeanours. And your said oratrix shall dailie pray to God for the preservacion of your grace long to endure.

Dorso. Let the within complained of John Banaster be summoned by writ of Privy Seal to appear before the King and his Council at Westminster on the morrow of St. John the Baptist next to come under a penalty of 100*li*. By command of the Cardinal Legate, Chancellor of England. (*Ibid.*, vol. xii, No. 186.)

No. XLVI.

To the kyng our sovereigne lorde.

In most lamentable wysse complenyth and shewyth unto your heightnez your pour subject and daly oratour Humfrey Dekenson, of Kirkbehall,^a w^t in your countie of Yorke, yoman, that, where as oon John Reple, late of Repon, within your seid counte, yoman, and Anne, his wyffe, was seassed of and in c acres of pasture with thappurtenaunce, set and leyng within the toun of Replay within your seid counte, in ther de[m]esne as of fee, as in the ryght of the seid Anne ; and of suche estate beyng seassed, the seid John and Anne of all the seid pasture with thappurtenaunce made a lesse for terme of the lyffe of the seid Anne unto your same oratour. Be force of the whyche lesse your same oratour was seassed accordyng, and therof pesable contened possession and toke the profytes of the same

^a Kirkby Hall, in the parish of Little Ouseburn.

pasture, untyll oon John Pullen, gent., a man expart in your lawez, of his cruell mynd and extort pour, withovt title of ryght, entrd into the seid pasture with ther appurtenaunce, and therof diss[eised] and put ovt of possession your same orator, and viij oxson of your same orator than and there pasturyng toke and drave away to suche secret placez, as yet is to your seid oratour vnknown. And for as myche as your same oratour was and 3yt is in pouerte, nat able to pursewe for the redres of the premissez acordyng to the cours of your commen lawe, your same orator sewed agenst the same Pullen be bill of compleynt unto your Grace, wherupon ther was awarde a wrytte of *sub pena* agenst the same John Pullen whyche procez your same oratour delyvered to the seid John Pullen, than beyng in the chyrche of Reple within your counte aforseid, at whyche tyme the same Pullen requered your oratour to cum and mette wyth hym the Twysday next after, att a toun called Skotton within your seid counte, to thenten that the same matter myght be there indeferently comonyd and harde be ther fryndes. And your same oratour, trustyng that the same Pullen hade ment and intended accordyng as he before hade spokin, gladly assented unto his seid request. And, as your seid oratour was goyng in Godes peasse and yours to the seid town of Skotton for the accomplesment of his seid request, ther cam oon Walter Pullen,^a son and heier to oon Rauff Pullen, cosen to the seid John Pullen, John Swall, gent., Wylliam Maxwell of the seid toun of Reple, John Hebden and John Busbey, servauntes to the seid Raff Pullen, Wylliam Thurscrose of Burton, be the procurement and mayntenaunce of the seid John Pullen and Raff Pullen, lay than and ther, of ther prepensyd malyce, unlaufully and ryouttusly assembled, with bowys, arrowes, swordes, bokelers, and bylles, and your same oratour assauted, yll intreted, and lycke to have sclayn hym, yf your same oratour hade not the soner escaped. And after the seid ryotus persons, for that the same Raff Pullen and John Swall have taken uppon them the occupacion of the seid pasture, at the request of the seid John Pullan, be the procurement and commandement of the same Raff Pullen, dravef^b and toke ovt of the seid pasture, in the nyght next after the seid unlaufull ryott and assemble, certen of the bestes and catelles of your seid oratour, to the nombre of xxx, than and ther pasturyng, and them drave away to suche places as your same

^a Walter Pulleine, of Scotton, near Knaresborough, married Margery daughter of John Slingsby, of Scriven.

^b That is, drove off.

oratur cannot have trew knowlege as yet, nor wher the grett parte of the seid catell ben becum. Uppon the whyche your same oratur made compleynt of his seid catell, wrongfully takin in the nyght, to oon Thomas Slensby, esquier, for that the same Slensby at that tyme was and yet is steuard of the lordshypp^a where the seid catell was taken. Uppon the whyche compleynt the same Slensby, than beryng your same oratur in hande^b that your same oratur shulde saye that the seid persons ware felons in the taken of the seid catell in the nyght. And for that cause and in asmyche as the seid John Swall^c have maryed and takin to wyff the syster of the seid Slensby, the same Slensby, of his cruell mynde, withovt any other cause or matter of justificacion, toke and imprisoned your same oratur and in prison hym helde the space of viijth days and untill your seid oratur was constreyned be coercion of the same imprisonment to be bounde to the same Slensby be hys wryten obligatorie in the sum of xx *li* to be of good beryng agenst the seid John Hebden, Edward Thorp, and Wylliam Thurscroce, thre of the seid ryotuse persons whyche made the assaute of your same oratur. In conscideracion wherof that yt wholde plese your grace to graunt your wryttes of *sub pena* to be derected agenst the seid Raff Pullen, Walter Pullen, John Swall, Wylliam Maxwell, John Hebden, John Busbey, Wylliam Thurscroce, Thomas Slensby, and Edward Thorp, commanding them personally to appere before your heightnez and your lordes of your most honorable Councell, at a certen day and place, and uppon a certen payne in the same to be conteyned, ther to answer to the premissey, and to be corrected and punyshyd for the seid gret and heynows offenses, in example of suche leke offenders, so that your seid oratur may goo in rest, peas, and out of daunger of his lyff, and further to do in the same and agenst other the seid offenders as shall be thought by your heightnes and your seid lordes most necessarie. And your seid subjecte shall daly pray to God for the good preservation of your majeste most royall longe to endure.

p' me Robt' Curson.

Dorso :—Coram domino rege et consilio suo apud Westm' in octabis Sancti Johannis Baptiste prox' futur'. (*Ibid.*, vol. xii, 215.)

^a The lordship of Honour of Knaresborough.

^b Some word omitted.

^c John Swale, of South Stainley, married Anne, daughter of John, and sister of Thomas Slingsby, of Scriven. Her sister was the wife of Walter Puleine.

To the kynge our soverayne lorde.

In most humble wyse shewyth unto your heythnez your pour subject and daly oratour, Humfry Deconson of Kyrkby-hall, within your counte of Yorke, yoman, that yt wolde plese your grace, of your benyng charyte, to conscider the grett vexacion and daly losse that your same oratour susteyne be the extort power of on John Pullen, gent., for that wher as your same oratour is seassed of and in too partez of ccc acrez of pasture, called Sussacrez, sett and leyng betwyxt the townez called Neyde and Brewton,^a within your same counte, in his de[m]esne as of freholde, of the demyse and graunt of oon John Ripley of Ripon within your same counte, and Anne, his wyff, as be ther dede endentyd, dated the xxj day of Marche, the xij yere of the reyn of kyng Henry the VIIth (1496-7), more at large be the same dede ended doyth appere. So yt is, most gracios lorde, that the same John Pulleyne, with force and armys, that is to say, bowys and other whepons, have entred into the seid landes with thappurtenaunce, and of his extort power withought title of ryght, c sheppe and other catell of the goodes and catalles of your same oratour, than and ther pastryng, toke, drowe awaye, and eyt [*sic*] retenyth, to the grett hyndrauns and undoyng of your same oratour, and in a peruelouz example of other leke offenders. In consideration wherof that yt may plese your grace, the premissez conscidered, to graunt your most gracios wrytt of *sub pena* to be derected on to the seid John Pullen, commandyng hym be vertu of the same personally to appere before your Grace and your most honorable Councell att Westm' att a certen day and uppon a certen payne be your Grace to be lemyted. And your same oratour shall daly pray to God for the good preservacion of your most noble raynge longe to endure.

Curson.

Dorso :—Coram domino rege et consilio suo apud Westm' die Sabbati prox. futuro, viz., xxij die Junii. (*Ibid.*, No. 216.)

^b Jan. 18, 13 Henry VIII (1521-2). William Middilton, William Maleuerer, knightes, John Vauasour of Hessilwod and William Thwayte of Marston thelder, esquyers. Where dyuerse varyaunces, suytes, and compleyntes hayth beyn late hadd, moved, and dependyng betwixt John Ripley and Anne, his wiff, late wiff to James Roos esquyer, disceased, of that on partye, and John Pulleyn of Kelynghall of that other

^a Nidd and Brearton.

^b An abstract from the original amongst the Arncliffe Hall MSS.

partye, for the interest, title, manuraunce, and occupacion of certen closes, called Sussacres and Skynnerflatt, and the loynes therunto adjonyng, with their appurtenaunces, sett and liyng neire Nydde, lately dyuysed and lett to ferme by the seid Sir William Middilton and Thomas Pole, clerk, feoffes to the vse of the seid James and Anne, then his wiff, and at their speciall desire and request, to the seid John Pulleyn and his assignez for the terme of thre scorre yeres. For the appeasyng whereoff the seid partyes by mediacion of vs the seid William, etc., freyndes of the seid partyes, haith compromytted theym selffes to stond to obey and performe the award of vs, the seid William, etc., os arbitratours indifferently betwixt the seid partyes. And we, the seid arbitratours, after ther titles, aunswers, and other allegeaunces of either of the seid partyes herd, knowyn, and well vnderstound, awardeth, ordeneth, and yeveth judgement in maner and forme folowyng; that is to say, that the seid John Pulleyn and his assignes shall haue, hold, occupye, and inyoie the seid closes and loynes with their appurtenaunces duryng the foreseid yeres. And the seid John Ripley and Anne, his wiff, shall by their dede, suffycient in the lawe, vnder there seales, vppon resonable request, ratyfye and confirme the foreseid dymyse and lees, mayde to the seid John Pulleyn and his assignes for the termes aforeseid. And that the seid John Ripley and Anne, his wiff, and either of theym, shalbe redy at all tyme and tyme to doo and suffer to be doyn all and euery thyng that the seid John Pulleyn shall aduyse for his ferther suertye of the seid terme. Prouyded alway that the seid John Pulleyn, for dyuere considerations movyng vs the seid arbitratours, and at oure request, shall oonly suffer Humfrey Diconson from the fest of the Annuncyacion of Oure Lady next cummyng to haue and occupye oonly two partyez of the seid closez, called Sussacres. And ouer that we award, ordeyn, and deme that if it fortune at any tyme hereafter the seid Humfrey to be amoved from the possession of the seid two partyez of Sussacres aforeseid, by lauffull entre, condicion brokyn, deth, or otherwise, that then and from that tyme we award, ordeyn, and deme that the seid John Pulleyn and his assignes to haue, hold, occupye, and inyoie the seid two partyes of Sussacres with the resydewe thereoff accordyng to his foreseid lees. And for the premyssez well and truely to be doyn on the part of the seid John Ripley and Anne, his wiff, we award, ordeyn, and deme that the seid John Pulleyn shall pay, or mak to be payd, to the seid John Ripley and Anne sex poundes, thirteyn shillings, foure pens,

whiche sex poundes, thirteyn shillings, foure pens, the seid John Ripley and Anne afore vs, the seid arbitratours, haith knollegged theym selffes well and truely contented and payd. And ouer that we award, ordeyn, and deme that the seyd John Pulleyn, at suche tyme as he shall entre to the seid two portyez of the seid closez called Sussacres, shall content and pay to the seid John Ripley and Anne suche garsome^a or other pleatour as we the seid arbitratours then shall name and appoynt. And ouer that we award, ordeyn, and deme that either of the seid partyes shall reles to other by their writtyng all maner accions, suytes, quarelles, and demandes, hadd, moved, or dependyng betwixt the seid partyes afore the date hereoff at the day of the delyuere of this oure award. In witnesse, etc.

Wyll'm Maleu'er k.

Joh'n vauasour.

Wyll'm thwaytt'.^b

No. XLVII.^c

To the kyng our soueraign lorde.

In moste humble wyse shewyth and compleynyth unto your highnes your dayly orator, Thomas Drax, clerk, that, where your seyd orator by the space of xx yeres past contynually hath bene seysed of the maner of Wodall, in the parish of Derfeld, in the countye of Yorke, in hys demean as of fee; and so beyng seysed therof, beyng in Goddes peas and yours, soueraign lordes, abowte the vth day of Novembre last past, one Thomas Drax, gentilman, and one Thomas Frere, yoman, accompanied with dyuerse other mysorderd and ryottous

^a A fine or premium paid to a feudal superior upon entering on a holding.

^b Not signed by Middilton, whose seal has been destroyed. Mauleverer's seal bears **W** below **i h s**, Vavasour's a fesse dancette, and Thwayte's a star of six points.

^c The following pedigree will be useful in showing the relationship between the parties in this and the following proceedings:—

ALEX. DRAX, of Woodhall in Darfield, mar. Joan, dau. of Sir Nich. Wortley; d. Aug. 10, 16 Hen. VII (1501)=

- | | | | | |
|-------|-----------|-----------------|-------------------------------------|---|
| | | | | |
| <hr/> | | | | |
| (1) | JOHN, | mar. Margaret, | dau. of Percival Amyas, | had an only daughter, Isabel, wife of Sir Walter Calverley; |
| (2) | NICHOLAS, | mar. Catherine, | dau. of Roger Wombwell, | <i>o.s.p.</i> ; |
| (3) | THOMAS, | D.D., | rector of Darfield; | |
| (4) | ROBERT, | mar. Joan, | sister of Sir Henry Wyatt, of Kent; | had a son, Thomas Drax, of Woodhall. |

persones to the nombre of syxe persones at the last, unlawfully assembled theym selffes to gyther at Wodall aforeseyd, and arrayed in maner of warre with swordes, bukkyllers and other wepons invasiff, ryottously, of theyre extort power, dyd forcybly enter ynto the seyde manor and the seruauntes of your seyde besechar at that tyme beyng there wrongfully expellyd and clyerly put them owt of the seyde manor, your seyde orator at that tyme beyng at high masse in the parisshe chirche of Dorfeld^a aforeseyd, whiche manor the seyde ryottors forcybly yet deteign and kepe from your seyde besechar, and as many goodes, catalles, howseholde stuffe, and other thynges of your seyde besechar at that tyme beyng within the seyde manor place, as be woorth xlii. sterling and above, and dyuerse evidences concernyng the seyde manor of your seyde orator, the certeynte wherof and whither they be enclosed in box, bagge, or chest, ensealyd or lokkyd, to your seyde besecher ys not knowen, than and there fownde, the seyde ryottours than and there tooke and conveyed away, to the great losse, hurte, and hynderance, and playne dysheryson of your seyde orator, onelesse remedy by your moste noble Grace to hym be provyded in thys byhalf. Moreouer, moste drad soueraigne lorde, abowte the feast of the Natyuyte of our Lorde God last past, the seyde Thomas Drax and the other ryottors aforeseyd, forcebly and in the most ryottous maner that can be devysed, turned the water that dryveth the myll of your seyde besechars, callyd Wodhall myll, whiche is yerely worth fyve markes sterlynges, owt of the right course, and after, as sone as your seyde besechar had knowledge therof, he sent hys seruauntes hyther to retourne the seyde water ynto his ryghte course ageyn. At whiche tyme the seyde Thomas Drax and the other ryottous persones aforeseyd, with lyke force and in the most ryottous maner that can be devysed, made assault upon the seyde seruauntes of your seyde orator, and shotte arrowes at theym, and putt theym in great daungyer and peryll of theyre lyffes, to the most perillous example of all other lyke mysorderd and ryottous persone, if due remedy by your most excellent highnes in spedy maner to your seyde orator be not the soner provyded in thys byhalf. In considera-

^a July 7, 1520. Institution of Mr. Thomas Drax, S.T.P., to a mediety of the parish church of Derfeld, vacant by the death of Mr. Hugh Bosvile, on the presentation of John Lake, gent., by reason of a grant to him and Sir Thomas Rokley, knt., and Robert Mountenay, esq., deceased, from Thomas Drax, clk., the true patron (*Reg. Wolsey*, fo. 49d). June 30, 1534. Institution of William Jackson, priest, to the same mediety, vacant by the death of Mr. Thomas Drax, on the presentation of Thomas Bowswell, esq. (*Reg. Lee*, fo. 9).

cion wherof it may please your highnes of your most habundaunt grace to graunte seuerall writes of *sub pena*, to be dyrectyd unto the seyde Thomas and Thomas, commaundyng theym and euery of theym by the same to appere before your most noble Grace and the lordes of your most honorable counseyll in the Sterre Chaumber at Westminster, etc.

[Signed :] Thomas Ryshton.

pledges of the { John Smyth.
prosecution { Richard Gold.

[Endorsed :] Before the king and his council at Westminster. (*Ibid.*, vol. xiii, No. 79.)

Interrogatories and depositions in the above suit, 10 May, 23 Henry VIII (1531).

Thomas Drakes, gent., of thage of 24, sworn upon interrogatories mynstrid by Thomas Drakes, clark, sayth that this deponent and oon Richard Broke, then beyng this deponentes servaunt, the Sondag befor Saynt Martyns day last past (Nov. 6, 1530) entryd into the sayd maner callyd Woodehall in peasabyll maner, havynge no wepons upon them, onlesse this deponent hadde a sworde or a woode knyfe, whereof he hath no perfight remembraunce, and no mo persons with them than beyng in company.

He ys now in possession of the sayd maner and was in possession of the same at the tyme of the delyverie of the *sub pena*.

After his entre into the sayd maner he delyveryd the goodes that he found there to oon John Taylour, servaunt to the sayd Drakes, clarke. Such evydences as belong to the maner this deponent kept styll there. To what valewe the goodes wer this deponent remembrith not.

He sayth that the water running by 2 or 3 wayes throwe this deponentes ground, he causyd the same to be turnyd in to oon waye, for as moche as the land his [*sic*] his on bothe sydes of the grounde, saying that ther was but oon of this deponentes servauntes at the turnyng of the sayd water; what wepon he hadde he can not telle, saying that the concideracion was to knowe what title of right the sayd Thomas Drakes preest hadde to the sayd mylle, and whether any arrowes were shott or nay he coud nat telle for he was at that tyme in London. [Signed :] Thomas Drax. (*Ibid.*, Nos. 69, 70.)

The defendant, in his answer, says the bill is framed only to put him to costs and charges; if the matter therein were true, which it is not, it would be determinable at Common Law. (*Ibid.*, No. 80.)

No. XLVIII.

To the most souerend fader in God, tharchbyssshop of
York chaunceler of Englund, cardynall and lord
legate.

Mekely sheweth unto your most noble Grace your humble
orator and dayly bedeman, Thomas Drax, clarke, brother and
heyr to Nicholas Drax, sonn and heyr to Alex' Drax, esquyer,
that, where your seyde oratour was and ys lawefully seased and
possessed of certen londes and tenementes with thappurtenaun-
cez, lying in Tykylle and elles where in the county of York
yn hys demean as of fee, as by ryght of enherytaunce to hym
descended after the dethe of hys seyde brother; and the same
lond your seyde oratour hath peseably contynued the possession
and taken the profyttes of the premyssez as of hys owne
ryghtfull enherytaunce the space of xv yerez or more without
eny let of perturbaunce of eny maner person or personez, tyll
now of late oon Sir Harry Wyat, knygh', wrongfully, without
eny ground, cause, or tytyle of ryght, the xij day of July in the
ix yere of our souereign lord the kyng that now ys (1517),
subtelly and craftely entred into the seyde lond at Tykylle to
the utter dysenherytaunce of your seyde orator ayenst the due
ordre of the Kynges lawez, equitye, or justyce. And ouer thys
the seyde Sir Harry, the thyrde day of May in the x yere of the
reign of our seyde souereygn lord (1518), sent oon Thomas
Kendall and other to the nomber of xij personez of hys ser-
uantes and adherentes, at the owre of mydnyght, in ryottous
maner, that ys to sey, yn harneys with bowes, arowes, byllys,
and other habylmentes of werre, unto certeyn londes and ten-
ementes of your seyde oratour at Woode Halle, yn the seyde county,
where they toke and wrongfully drove away lxij polle of catayll
and brought theym to the Castell of Tykhyll, where they
empounded the seyde catayll tyll part of theym were pyned
to deth and many of theym were so perished that they were
not hable to fede to be manys mete. And when your seyde
oratour sued to the offyceers of the Castell for a replevyn, they
made pleyn answer they wold allowe none except it came
for in the Kynges most honorable Councell, so that your
lawez myght have no due cource ne process. And ferthermore
the seyde Sir Harry commaunded hys seyde seruantes stretly
by hys lettrez, to fech contynually newe stressez and newe
stressez [*sic*], and pyne theym to deth, as they had done afore
duryng hys plesure, for the whych cause no man dare put eny
catell into the seyde ground, nor become tenant to your seyde ora-

tour uppon the seyde ground, for drede of hys commaundement, so that the same ground lyith unoccupied to the empouerysshynge and utter undoyng of your seyde oratour foreuer, except your Grace to hym heryn tendrely be shewed. And ouer that the xvijth day of June the xi yere of Kyng Henry the viij (1519), by the commaundement of the seyde Sir Harry Wyat, oon Roger Rokley esquier, Thomas Wyat, Thomas Drax the younger, Thomas Kendall and other, yn a ryottous maner, forsybly entred, to the nombre of xxij personez, and so forsably toke possessyon in a medowe called Fuldewe, a parcell of the enherytaunce of the seyde Thomas Drax, clerk, without eny ground, cause, or rightfull tytle, as shalbe proved, and the xxj day of the seyde moneth, the same yere, the seyde Roger Rokley in ryottous maner with xxiiij personez with many maner of wepyns entred into the ground of the seyde Thomas Drax, clerk, callyd the Nether Parke, and drove away vj oxen and kyne, that ys to sey, iij oxen and iij kyne, and put theym into Tykyll Castell to pynne theym, and when the seyde Thomas Drax, the auner of the seyde catell, sent for theym by replevyn, accordyng to the Kynges lawez, oon Thomas Kendall, keper of the seyde Castell, not aloonly denyed the delyueraunce of the seyde bestes, but also toke thoez honest personez that came for theym, and with many cruell and hasty wordes drove theym to the pryson hous with theyr owne wepyns, and put theym in ieopardy and fere of their lyvez ; the same persones offryng theym self to be bound to serve and folowe the Kynges lawez. And the xvi day of July, the same yere, the seyde Roger Rokley, by the commaundement of Sir Harry Wyat, with xiiij personez, ryottously entryd the same ground and made a newe ryot, dryvyng away xiiij oxen and kye, whych xiiij bestes they left behynd theym, and the iij oxen and iij kye kepys styll to this day, so as your petycyoner ys without remedy, for the Kynges lawez used in such casys ys utterly denyed to hym by the seyde Kendall, not wyllyng to admyt eny replevyn, so as your seyde oratour knowet not whether that he hath pyned thos vj bestes to deth, as he dyd pyne the other bestes that he toke the other yere next before this yere. And all thyez ryottours were done, the mater beyng under arbytrement, Sir Harry Wyat and your seyde oratour beyng bond, the oon to the other, on oblygacons of to hundreth pound, and not the day of arbitrement expyred. Ouer this, the matter stondyng yn arbytryment bytween Sir Harry Wyat and your seyde oratour, oon John Caluerd, havynge a sup's^a in hys

^a Supersedeas.

hondes, whych was delyuered hym by Thomas Store, embeseld the same sup's and returned an outelawry ayenst your seyd supplyant thys present terme at the sute of the seyd Sir Harry Wyat and John Norman, so that your seyd oratour could not attend uppon your Grace unto thys tyme, for dyuers *capyas utlagat'* that were taken ayenst hym in dyuers countyes. It may therfor pleas your seyd most noble Grace, the premyssez tendrely consydred, to call the seyd Sir Harry with the other wrong doors, named in thys byll, before your seyd most noble Grace, to answeere to the premyssez and theryn ferther to do and obey as by your seyd most noble Grace shalbe thought indyffrent to accord with the Kynges lawez, ryght, and good conxyens, so that your seyd oratour may from hensforth peasably enioy and occupye hys seyd ryght and enherytaunce of the premyssez without eny ferther wrong doying to your seyd oratour and hys seyd tenauntes by the seyd Sir Harry or hys seruantes in tyme to com. Thys for the love of God and yn the wey of charyty and your seyd oratour shall duryng hys lyff s'pially pray to God for the preseruacon of your most noble Grace long to endure.

Endorsed with the cardinal's order, 29 November, for the summoning of the parties to appear before the King and his council at Westminster in the octave of Hillary, under a penalty of 100*li.* each. (*Ibid.*, vol. xiii, No. 81.)

In his answer the defendant says the complaint is imagined for the slander and double vexation of the said Sir Henry, because the complainant, before this time, did exhibit a like untrue bill, in answer to which Sir Henry proved his title good before the Dean of the King's Chapel, the said suit still pending before the said dean and other of the King's counsel of the Court of Requests. The bill is also vague in terms, and the matters therein contained determinable at Common Law. He further saith that long time before the said xij dey of Julie the ixth yere of the reigne of our soueraigne lord the king that now is (1517), that the said Alexsander Drax, specified in the said bill, was seased of the said landes in Tykhyll amonges oder landes and tenementes in the countie of Yorke, in his demeasn as of fee, and so seased had issue one John Drax, his eldest son and heyre, whiche John had issue Margaret, married to Water Caluerley, and yet levyng. And he saythe farder that the said Alexsander, beyng so seased of the said landes and tenementes, therof enfeofed Robert Woodall and Robert Fleycher, by force wherof they were seased of the said landes in Tykhyll amonges other in theyr demeane as of fee, and so

seased after that, that is for to sey, in the terme of Saint Michell in the xv yere of reigne of our late soueraigne lorde king Henry the vijth (1499), one Sir Thomas Wortley, knight, and Roger Wombwell pursued a wryte of entre *in le post^a* against the said Robert Woodall and Robert Fleccher of the said landes and tenementes in Tykhyll amonges oder landes and tenementes, and they vouched ouer to warrantie the said Alexsander Drax, and proces then contynued unto suche tyme as that they had jugement to reycouer the said landes and tenementes in Tykhyll afforsaid amonges oder against Robert Woodhall and Robert Flecher, and the said Robert and Robert ouer in value against the said Alexsander, as by the kinges reycordes more playnly apperethe. By force wherof the said Sir Thomas Wortley, knight, and Roger Wombwell enterd and were seized of the said landes and tenementes in Tykhyll amonges other in theyr demeane as of fee, and so seized the said Sir Thomas of suche estate died seized and the said Roger Wombwell ouer lyffed hym and held hym in by survivor, and was sole seized of the premisses in his demeane as of fee, and so seized by his dede beyryng date the iiijth dey of June the ix yere of the reigne of our soueraigne lord king Henry the viijth (1517) therof enfeofed the said Sir Henry Wyat, knight, John Cutte, knight, Richard Wyatt, clarke, Richard Lyster, gentilman, Thomas Wyat, son and heyre apparrant of the said Sir Henry, Robert Mounteney, John Savell, Henry Chaloner, Richard Bakar, Robert Woodall thelder, and Thomas Kendall, by force wherof the said Thomas Kendall in the name of all his cofeoffes enterd into the same by lyuery season made unto hym by one William Hudson, clarke, thattorney of the said Roger Wombwell, by a warrant to hym therof made, as lafull was for hym to doo, whiche is the same entre wheroppon the said Thomas Drax' hathe made his complaint of the landes in Tykhyll, w^tout that that the said Sir Henry Wyatt, knight, wrongfully without any grounde, or cause, or title of right, sotelte [*sic*] and craftely, against the due order of the kinges lawes, entered into the said landes and tenementes in Tykhyll in maner and forme as is supposed, or in any other maner than as he hathe affore declared; and withoute that that the said Thomas Drax is brother and heyre of the said Nicholas Drax, and without that the said Nicholas Drax was son and heyre of the said

^a To lead to a Common Recovery, in which Sir Thomas Wortley, knt., and Roger Wombwell would be the demandants, Robert Woodall and Robert Fleccher, tenants, and Alexander Drax, vouchee, the effect of which would be to disentail the property in Tickhill.

Alexsander Drax esquier, in maner and forme as is supposed by the said bill ; without that that the said Thomas Drax, clarke, is laufully seased or possessed of any landes and tenementes in Tykhyll, or els where in the countie of Yorke, in his demeane as of fee ; or that any landes discended unto hym by inheritaunce after the dethe of Nicholas, his brother ; or that he hathe contynued his possession by right full inheritaunce in maner and forme as he hath supposed by his said bill. And as to the takyng and dryvyng away of the said bestes at Woodhall specified in the second article, the said Sir Henry Wyatt saithe that the place where the said bestes were taken be ij closes, the one called Neyther Parke and the other called Fuldewe, in Woodhall, within the towne of Wombwell, wherof long befor the takyng of the said bestes Sir Thomas Wortley, knight, and Roger Wombwell, esquier, were seased in theyr demeane as of fee, and so beyng seased the same closes amonges other gave to one Robert Drax and Jane, his wyf, to haue and to holde the same to theym and to theyres males of the bodye of the said Robert lawfully begotten, as by a dede ther of made more playnly dothe appere. By force wherof the said Robert and Jane were therof seased, that is for to sey, the said Robert Drax in his demeane as fee taile and the said Jane in her demeane as of freholde, and so beyng seased of suche estate died seased. After whos dethe the said ij closes amonges other discended, and of right ought to discende, unto one Thomas Drax, son and heyre made [*sic*] of the bodie of the said Robert Drax'. And by cause that the said ij closes be holden of theyres of Sir William fitz Williams of Sprodrugh, knight, by socaige, and the said Thomas Drax' the yonger, beyng yet under the aige of xiiij yeres, the custodie and wardshyp of the said ij closes and also of the bodie of the said Thomas Drax the yonger perteynythe unto the said Sir Henry Wyat, as next of bloode to whom thenheritaunce couthe not discende, by reason wherof the said Sir Henry seased the said landes and bodie as garden in socaige of the said Thomas, as lawfull was for hym to doo, and afterward wrote unto the said Thomas Kendall and commanded hym to ouerloke the said closes, and yf that he found any strange cattell in theym that he shuld take theym as dempmaig' feisaunt^a and enpounde

^a *Damage feasant*, that is, doing hurt or damage, and is, when a stranger's beasts are in another man's ground, without licence of the tenant of the ground, and there do feed, tread, and otherwise spoil the corn, grass, woods, and such like ; in which case the tenant, whom they damage, may take, distrain, and impound them as well in the day as in the night (*Cowell's Interpreter*).

theym unto suche tyme as that they were delyuerd by repplevy [*sic*] or other wyse uppon gaiges and pleygges accordyng to the lawe, without that the said Sir Henry wrytte unto hym to empound the said cattell to they were pyned to dethe, and without that the kinges lawes by reason of his wronges were lett or myght not haue theyr dew course in maner and forme as he hathe surmised by his bill. And he saithe farder that the said Sir Thomas Drax, clarke, yett dothe occupie with force the said closes and by disseyson done unto the said Thomas Drax the yonger contrary to right and good conscience ; and without that the said Sir Henry befor all the said ryottes, supposed to be donn, was bound by obligacon in too hunderythe poundes to byde tharbyterment of all the premisses in maner and forme as is surmised ; and without that the said Thomas Drax was outelawed at the sute of the said Sir Henry in maner and forme as is surmised in the said bill. All whiche matters the said Sir Henry is redy to verefye as this courte will adwarde, and praithe to be dysmyssed owte of the same with is reasonable costes and charges for his double wrongfull vexacon in that behalf, and also that the said Sir Thomas Drax' mey be punysshed for his untrue slanderyng of the said Sir Henry aswell made of him to the kinges owne persone as in his honorable Corte. (*Ibid.*, No. 82.)

No. XLIX.

To the kyng our soueraign lorde.

In most humble wyse shewyth and complaynyth unto your most excellent highnesse your faithfull subiect and daly orator, Wyllyam Dunthwayt, husbondman, that, where in the terme of Seynt Michell in the xxiiij yere of your most noble reign (1532) yt pleasyd your highnesse of your moost habundant grace to dyrect your most gracyous write of commyssyon, datyd the xij day of Septembre in the xxiiij yere of your most noble reign, unto Sir Wyllyam Gascone, knyght, and John Pulleyn, easquyer, by the name of John Polland, easquyer, gyvyng theym by the same full power and authoryte to here, examyn, and determyn a certeyn matter conteignyd in a petition exhibytted to your highnesse by your seyde besechar, wheryn were conteignyd many great and heynous iniuries, ryottes, wronges, and damages, commytted and doon unto hym by one Wyllyam Browne, Rycharde Aldeburgh, esquyer, and others, if the seyde commyssyoners cowlde, or elles_ to certyfy your

highnesse and your most honorable cownsayll in your Starre Chamber at Westm' at the quynsyme of Seynt Hyllary than next folowyng. By reason wherof the seyde commysseyoners callyd the seyde partyes afore theym, who made theyre answeere, wherunto your seyde poore orator replied and therupon the partyes aforeseyde were at a perfait yssue. And after by the full assent and agreement of the seyde Wyllyam Browne and your seyde orator they submytted theym selves to stande and fulfyll the awarde order and judgement of Gregory Man, Robert Browne, Wyllyam Monkton, and Wyllyam Byrdstall, by the advyce of your seyde commysseyoners, whiche arbitrators with great diligens and good deliberacon hard the seyde matter and all the circumstances of the same with the deposicions and wytnesses of bothe the seyde parties, wherby yt playnely appyered that the seyde Browne had no right, title nor interest to three meases and xij ox ganges of lande in Marton in Burghshyre^a in the countie of Yorke, conteignyng in the seyde petition, and the whiche the seyde Browne claymed of the leas of the seyde Aldeburgh. Wherefore the seyde arbitrators by good deliberacion awardyd that your seyde besechar shulde have and enjoye for euer all suche corne and grayne as the seyde Browne had sowed upon the seyde grownde, and that the seyde Browne shulde avoyde and cary withym all hys corne and hay furthe of the lathe,^b perteignyng to the seyde mease, without interruption of your seyde orator, his mother, or any other by theyre meanys and procurement, as by the seyde awarde amonge other thynges thereyn conteignyng more at large appyerith. And by the seyde commysseyoners the seyde Aldeburgh was injoynd to suffre your seyde orator peasybly to enjoy the premysse accordyng to an indenture shewyd afore the seyde commysseyoners by the seyde Aldeburgh, and wrongfully takyn away from John Dunthwayt, father to your seyde oratour, and by the seyde Aldeburgh unlawfully cancellyd and cutt in peaces, wherby yt playnely appyeryd amonge other that your seyde besechar and hys seyde father shulde have and enjoye the seyde meases and landes for terme of theyre lyffes. Soo yt ys most drad soueraign lord that thys not withstandyng the seyde Aldeburgh, of his corrupt and covetous mynde and appetyte and of his extort power and myght, without any reasonable grownde or cawse yn consyence, in forcyble and ryottous maner, hath unlawfully assemblyd togyther at the leaste fower evyll dysposed and ryottous persones, unknowen

^a Near Boroughbridge.^b Barn.

to your seyde orator, who in maner of warre arrayed, that ys for to say, with swordes, bukkyllers, and staves, and other wepons invasyff, ageynst your peas, soueraign lorde, abowt the xij day of Marche last past, the seyde Aldeburgh with other ryottours aforeseyde forcibly and ryottously entred upon the possessyon of your seyde orator ynto the seyde xij oxganges of lande, and the same contynually euer syns occupieth to his owne proffitte and behoofe, to the great hurte and hynderance of your seyde besechar. And also at dyuerse other tymes afore thys the seyde Aldeburgh, yn lyke maner accompanyd with dyuerse others ryottous persones unknowen to your seyde orator, ryottously entred upon the possessyon of your seyde orator ynto the seyde meases and landes, and as moche hay and corne of your seyde orator, as was woorth the tenne markes sterlyng and above, there fownde wrongfully, forcybly, and riottously tooke and conveyed away from your seyde orator, and as yet no recompence woll make to your seyde orator for the same, al be yt that the seyde Aldeburgh dyuerse tymes by your seyde orator hath bene therunto requyred, to the great contempt of your highnesse and of your most gracyous lawes, and to the right peryllous example of all other lyke offenders, and to the utter undoyng and enpouerysshynge of your seyde poore orator yn thys worlde for euer, if due remedy by your highnesse the sonner be not provyded yn thys byhalfe. In tender consideracion wherof it may please your hyghnesse, of your most habundant grace, to graunte your most gracyous writte of *sub pena* to be dyrectyd to the seyde Rychard Aldeburgh, commaundyng hym by the same to appyere afore your highnesse and the lordes of your most honorable cownsayll yn your Starre Chamber at Westm', etc.

[Signed:] Thomas Ryshton.

pledges of the prosecution Joh'es Doo et
Ric'us Roo.

[Endorsed:] Before the Lord the King and his Council at Westminster on Easter Day next coming in one month. (*Ibid.*, vol. xiii, No. 146.)

Attached is the answer of Richard Albury, who says that all offences against the Kings peace or lawes in the bill of compleynt supposyd to be done are untrewly surmysyd, the resydewe of the matter ought to be determynable at the Comone Lawe. By indentor beryng date 2 November, 10 Henry VIII (1518) this defendant demised the premises to one Jhon Dunnewhayt, father to the seid compleynaunt, for terme of his lyffe, whyche was estate but onely att will, consydering

that no lyverey and season was therupon hadde and made. Nevertheles the seid Jhon Dunewhayt afterwerd of his owne free will surrendryd all the premysses and all his interest therein to the seid defendant, delyveryng up his part of the seid indentor to be cancellyd, which the defendant has so cancellyd, as was lawfull for hym to doo, without that that the seid Rychard was pryvy to the awardyng of the seid commyssion. (*Ibid.*, No. 147.)

No. L.

To the kynges highnes.

In most humble wise shewethe and compleyneth unto your excellent highnes your poore faythfull subiects, Robert Dyon, yoman, that wher your seid subiect and one Margaret Normanton wer affyed and contracted in lawfull matremonye at Caistor in your Graces countye of Lincoln in the presens of dyuerce persones there beyng; and your seid subiect so beyng contracted and affyed with the said Margaret departed then frome here, levyng heire in service with one Sir Edward Madyson, knyght, at Caister aforesaid, promysynge here then the said Margaret that he, your said subiect, wold shortly after make repayre to hire and appoynt a tyme to be married accordynge to the lawes of Holy Church. And shortly afterward, that is to say, aboute the fyrst day of October last past, one Guye Sotheby of Halton in your Graces countie of Lincoln, and Thomas Sotheby, his sone, of there malicious and devyllysshe puposse, prevely procured and conveyde the said Margaret frome the place wher she was in service into Holdernes in your countie of Yorke, and prively without any askynge of any baynes of matremony in any church, at Kyngeston uppon Hull, prively the said Thomas by advyce of the said Guye married the said Margaret, and hayth had carnall knowlege of the said Margaret, she beyng not over xiiij yeres of age, which is not onely agaynst Godes lawes but also to the most perylous example of all other, and oneles condigne punysshement be hadd for the same offenders. And your said subiect, beyng a poore seruyng man, hayth susteyned and had herby great losses and great expences to his nygh utter undoyng, oneles your Graces socor be to hym shewed in this behalf. In consideracon wherof it may pleas your highnes to grant your most gracious writte of *sub penay* to be directed unto the said Guye, Thomas, and Margaret, and euery of theym, comandynge

theym, and euery one of theym, by the same personally to appear before your highnes and your most honorable Counsell in your most honorable Court of the Starred Chamber at West'm at a certain day, etc. (*Ibid.*, vol. xiii, No. 273.)

No. LI.

To our souereyn lord the kyng.

In most humble wyse shewith and compleyneth unto your highnes your poor oratrice and true subgett, Agnes Fytzherberd,^a wedewe, late wyf of Hercules Fytzherberd, and afore that tyme wyf of one John Thwaytes esquyre, that where John Haryson, prest, and Wylliam Ardyngton were seased of and in the maner of Thwaytes with thappurtenaunces in the county of York and of dyuers other landes and tenementes in Kyghley, Byngley, and Rawden, in the same county, in thur demeane as of fee, to the use of the sayd John Thwaytes and of his heires ; and they, so beyng therof seased, at the request and desyre of the same John Thwaytes, and to thentent to make therof a ioyntur to your sayd oratrice, than his wif, dymysed and gaf the same maner, landes, and tenementes unto the same John Thwaytes, your sayd oratrice, Robert Hastynges, Thomas Lynley, and other, To haue and to hold to them for terme of lyf of your sayd oratrice, the remayndre over to the heires of the same John Thwaytes for euer. By vertue wherof the sayd John Thwaytes and your sayd oratrice, than his wyf, Robert Hastynges, and other were therof seased accordyngly. And where also Thomas Lyndley and John Haryson, prest, were lykewyse seased of and in certen landes and tenementes callid Carhous and Carflatt, Skales, Snowdomlos [*sic*], and of dyuers other landes and tenementes, lyyng in Askewith in the county aforsayd, in thur demeane as of fee, to the use of the sayd John Thwaytes and of his heires. And they, soo beyng therof seased, at the lyke specyall request and desyre of the same John Thwaytes, and to thentent to augment and increse the joyntur of your sayd oratrice, dymysed and gaf the same landes and tenementes unto the sayd John Thwaytes and your sayd oratrice, than his wyf, Thomas Bedyngfeld, and other, To haue and to hold to them for terme of lyf of your seyde

^a Probably the second wife of John Thwaites, of Thwaites, in the parish of Keighley, and stepgrandmother of Isabel, daughter of Thomas Thwaites, who married Sir William Fairfax, of Steeton (See *Test. Ebor.*, iv, 10). Agnes Thwaites' son Anthony is mentioned in the above document.

oratrice, the remayndre over to theires of the same John for euer. By vertue wherof the same John, your sayd supplyant, Thomas Bedyngfeld, and other thur cofeffes, were ther of lykewyse seased accordyng to the same astate. And aftre the sayd John Thwaytes dyed; aftre whos death your sayd oratrice and other hur sayd cofeffes helde them in the premysses by right of suruyuor. And sythens the deceas of the sayd John Thwaytes your sayd oratrice by hur self and hur fermors haue contynually perceyued and taken thissues and profytes of the premysses, that ys to wete, by the space of xx^{ti}iiij yeres or ther about. And so yt ys, souereyn lord, that on Wylliam Fayrfaxe esquyre, which hath married one Isobell, the doughtre of Thomas Thwaytes, in whos right he pretendeth to haue the reuercon of the premysses aftre the deceas of your sayd oratrice, of his most subtyll mynd, about one [*sic*] yere past, made instant labor to your sayd oratrice by his frendes to opteyne a leas of your sayd oratrice of the premysses. At whos request your sayd oratrice, not mystrustyng the same Wylliam, made to hym a lease to hold at the wyll of your sayd oratrice, yeldyng therfor xl markes by yere, with a clause of reentre for the non-payment of the same rent, as by an indentur therof made more pleynly apperith. And for as moch as the sayd rent was not payd at the day of payment therof, accordyng to the purport of the same indentur, your sayd oratrice re-entred in to the sayd maner and other the premysses, as good and lafull was for hur to doo. Sythens the which reentre soo made the sayd Wylliam forcibly hath kept the possession of the premysses, not only denyng your sayd oratrice the possession of the same, but also refusyng the payment of the sayd rent, soo that your sayd oratrice, dwellyng in your county of Norff', farre out of your county of Yorke, and hauyng fewe frendes withyn the same county of York, notwithstanding she hath been truly payd yerely xxvj*li*. xvjs. for the ferme of the premysses by the same Wylliam contynually by the space of xiiij yeres, or ther about, neuertheles ys lyke now to be dyffrauded and craftely disseyved of hur sayd por levyng ayens all right and good conscyens. And wher your sayd oratrice, about the begynnyng of Lent last past, by one Anthony Thwaytes, hur sone, dystreyned withyn the premysses vj oxen, ther damage fesant, as good and lafull was for hur to doo, one Robert Dyngley, George Ward, and dyuers other moo, to the nombre of vj persones, of the seruantes and adherentes of the sayd Wylliam Fairfaxe, by the commaundement and procurement of the same Wylliam, with force and arms, that

ys to wete, with staves, swardes, and buklers, in ryatous maner, toke the same dystres from the sayd Anthony, and wuld in no wyse suffre the same Anthony, in the name of your sayd oratrigce, neyther to dryve with hym the same dystres nor yet to conteynue the possession of the sayd maner, landes, and tenementes. All which premysses concydered, yt may pleas your Highnes to graunte your gracious wryttes of *sub pena* to be seuerally directed to the same Wylliam Fayrfaxe, Robert Dyngley, and George Ward, them commaundyng by vertue of the same personally to appere before your Hyghnes, and your most honorable counsell, at such tyme and place and uppon such peyn as by your Highnes shalbe lymyted, there to answer, etc. etc.

[Endorsed:] Before the lord the king and his Council at Westminster from Easter day next to come in three weeks. (*Ibid.*, vol. xv, No. 81.)

The answer of William Fairfax, esquire.

He denied that he made any riotous or forcible entry. If the matters alleged against him were true, which they are not, they are all determinable at Common Law, whereunto he prays to be remitted, in so much that the complainant is a woman of great possessions and great substance of goods, and hath within the said county of York many great friends and able to pursue for her remedy, by the order of the same Common Law. (*Ibid.*, No. 82.)

No. LII.

To the kynge oure souereyn lorde.

In moost humble wyse sheweth unto your Highnes your dayly oratour, John Fletcher of Harewood, in your countie of Yeork', that where one George Wade, in the begynnyng of December, this present xxvjth yere of your most noble reyn (1534), repayred and came to Harewood forsayd and ther made his abode by the space of xiiij or xv dayes, levyng supe[r]cyously and wastfully; and for by cause that hyt was serched and known at last in the sayd town that the sayd George Wade was but a vacabound, havyng no master, goodes, nor landes to lyve upon; and for that also that the sayd George Wade laye in wayte crewelly to have myschevyd, murtherd, and slayn one Richerd Ratherey, seruant to Richerd Redmayn esquier, who dwellyth and enabyteth at Harewood forsaid; and upon the whiche Richerd Ratherey the sayd

George Wade had made assautte and affray and hym so sore beten woundyd and evyll entreatyd that he was long tyme yn juperdie of his lyfe, John Plesyngton and George Mydleton, seruanter to the sayd Rycherd Redmayn, toke the sayd George Wade and hym delyueryd to your sayd oratour, beyng your Graces constable of Harewood forsayd, to thentent he shold be in good assurance and forth cummyng yf hyt had happenyd the sayd Richerd Ratherey to haue dyed by reason of the sayd woundes so to hym geven, whiche George Wade youre sayd oratour, beyng constable as is aforsayd, sent to the Castell of Yeork, ther to remayn and abyde untill suche tyme as hyt myght be known whether the sayd Ratherey shold dye or lyve. For the whiche cause Sir William Gascoyn thelder of the sayd countye knyght, beyng a grett frend and ameyntenor of the sayd Georg Wade, sent for your seyde oratour, to com to hys mancyon place callyd Galthorppe, yn the sayd paryshe of Harewood, and ther to speke with hym, whoys request your sayd orator obeyed and cam unto hym att Galthorppe forsayd, whom the sayd Gascoyn caused to be taken by dyuerce his seruanter then and ther beyng present ryoutously arayde, that is to saye, with swerdes, buklers, daggers, and other wepens invasyve, ageyn youre peace, souereyn lord, and hym wyth force and strengthe enprisoned in hys sayd howse by the space of iij days and iij nyghtes, and sayed unto your sayd orator that he wolde sende hym unto the Castell of Yeork, onles he wold be bound and suffycent suerties with hym to paye unto the sayd Sir William Gascoyn the some of xx*li.*, whiche bond your sayd orator refuced to make nor wold fynd suertyes, wherupon the sayd Sir William Gascoyn sent your said orator to the sayd Castell of Yeorke, ther to remayn untill the nexte assyses ther to be holden in Lent then cummyng, who upon suffycent suertyes by hym found was ageyn delyueryd. The cause of whiche enprisonment, as the sayd Sir William Gascoyn reported to your sayd orator, was for that your said oratour had not broght the sayd George Wade unto hym before he had sent hym to the sayd Castell of Yeorke: for the whiche acte thus don by your said orator the sayd Sir William Gascoyn contynuelly bayreth malyce, grudge, and dyspleasur ageyn your sayd orator, by reason wherof he dayly standeth in grett feere and daunger to the evyll example of lyke offenders in tyme cummyng, yf due correctyon be not had with spede in the premissis. Hit may therfore please your Grace, the premissis concedryd, to graunt seuerall wryttes of *sub pena*, to be dyrectyd unto the sayd sayd [*sic*] Sir William Gascoyn

and the other ryottes persons, commaundyng them by vertue therof personally to appere before your Grace and your moost honorable Counceyll at Westm', at a certeyn daye, to awnswer to the premissis, etc., etc.

[Signed :] Chirdley[?]. (*Ibid.*, vol. xv, No. 122.)

The answer of Sir William Gascoigne the elder, knyght, to the byll of compleynt of John Flettcher.

The sayd Sir William Gascoigne sayth that the sayd byll is uncerten and insufficyant in the law to be answeryd unto, and also untrew and feynyed, whereof he prayth aduantage, and thaduantage and excepcion thereunto to hym alweyes savyd. For answer sayth that on the begynnyng of December laste past, and long beffore, and contynually sythen, he was and is on of the Kynges Justyce of his Peax in his countye of Yorke; and that he, the sayd Sir William Gascoigne, in or aboute the begynnyng of December last past, beyng Justyce of Peax as is afforsayd, was inffourmyd that there was assaute and affrey made betwyn the sayd Richard Ratherey, seruant to Richard Redmayn esquier, namyd in the sayd byll, and the sayd George Wade, named also in the sayd byll. And he sayth by occasyon thereof and for feare of the said Rychard Redmayn and of his servantes, the said George Wade was goyng toward Robert Chalenor, another of the Kynges Justyce of his Peax in the said countye, for a warant of the peax agaynst the sayd Richard Redmayn and his seruanter, and the sayd Sir William was inffourmyd that as the said George Wade was goyng toward the said Robert Chalenor for the purpose afforsaid, that dyuers of the seruanter of the said Richard Redmayn, that is to say, Henry Laghlen, George Myddulton, John Plesyngton, Thomas Rothery, Percevall Wade, and Franke Passelow, by the commaundment of the sayd Richard Redmayn, pursuyd and foloyd the same George Wade, and made seuerall assautes upon hym. And the said George Myddulton and John Plesyngton dyd soore beyt and wound hym, that he was in jebordye of his lyffe. And by cause the said George Wade was so soore strykyn and woundyd that the said George Myddulton and Henry Laghlen and other laid or sett the said George Wade upon on horse bake and there tyed hym to on of the seruanter of the sayd Richard Redmayn, and brought hym to the house of the said Richard Redmayn in Harewood forsaid, and there imprysoned hym. After whiche affrey made, on Richard Wade, brother of the sayd George Wade, cam to the sayd Sir William, and instantyd hym to help his said brother out of pryson, seyng his said brother George Wade was so soore

hurt and in jebordye of his lyffe emongyst his enymyez. By reason whereof the said Sir William Gascoigne send for the said John Fletcher, the compleynant, beyng namyd constable there, to cum to hym. Aftur whos cummyng the said Sir William Gascoigne movyd and spake to the said John Flettcher that he shuld take the said George Wade in to his kepyng out of the custody of his enymyez, which John Fletcher answeyrd that he durst not so do for feare of the said Richard Redmayn, and so the said John Fletcher depertyd. And aftur that the said John Fletcher cam to the sayd Sir William Gascoigne agayn, and then he commandyd and chargyd the sayd Fletcher upon payn of xx*li*. that he shuld take the said George Wade in to his custody and not bryng hym in cumpany with such prisonz as had beyton hym before to the Castell of Yorke, by cause he was so soore wooundyd and hurtyd, but to bryng the said George Wade to the said Sir William that he myght examyn hym of suche actes as he had don before. But that notwithstanding [*sic*] the said John Fletcher and other of the said seruantes of the said Richard Redmayn, which had beyton the said George Wade before, as is aforsaid, beyng enymyez to the said George Wade, brought the said George Wade beyng soore hurte and woundyd to the said Castell, where the said Sir William Gascoign thought that the said George Wade shuld be in jebordye of his lyff by reason of evyll intreatyng or kepyng and suche woundes and strokes as he had. And the said Sir William Gascoign, heryng thereof, sent for the said John Fletcher to cum to hym, and by cause he thought the said John Fletcher had forfetyd to the Kyng the said xx*li*., for that he disobeyd his said commaundment, causyd the said John Fletcher to tarry one nyght in the mancyon place of the said Sir William, callyd Galthorp, and on the morow by cause the said compleynant refusyd to be bounden to the Kynges use, to appeyre afore the Kynges Justyce of Assise at the next assysez then to come at Yorke, to answer to such matters as the sayd Sir William woold haue layd to his charge, and to thentent the Kyng shuld be answeyrd of suche money whiche the sayd Sir William had thought the said Fletcher had forfetyd for that he disobeyd his said commaundment, and for suche matter as the said Sir William can allegge agaynst the sayd compleynant, sent the sayd compleynant to the sayd Castell at Yorke, there to remayn unto the Kynges Justyce there myght knoo of the mysdemeanor of the sayd compleynant; without that the sayd George Wade in the begynnyng of December last past cam

to Harewod forsaide, and there abode by the space of xiiij or xv dayez, lyvyng suspecyously and wastffully, or that the sayd George Wade was a vacabound ; or serchyd and knoyn in the sayd town of Harewood that the sayd George was a vacabonde ; or that the sayd John Plesyngton and George Myddulton toke the sayd George Wade and hym delyuered to the sayd compleynant for the causez alleggyd in the said bill ; or that the sayd George Wade made the sayd compleynant beyng constable to send hym to the Castell of Yorke, there to remayn and abyde unto suche tyme as yt myght be knoyn whether the sayd Ratherey shuld dye or lyffe ; or that the sayd Sir William Gascoigne for the same cause causyd the sayd compleynant by dyuers of his seruantes, ryoutously arayd in maner and fourme as in the sayd bill is alledgyd, to be takyn and hym with force and strenght imprysoned in his sayd mancyon or house by space of iij dayez and iij nyghtes, as in the sayd bill is untruly alleggyd ; or that the sayd Sir William Gascoigne is a great frynd and mayntener of the said George Wade, contrary to the Kynges lawes ; or that the sayd Sir William Gascoigne sayd unto the sayd compleynant that he woold send hym to the Castell of Yorke onlez he woold be bound and suffycyant suertye with him to pay to the said Sir William Gascoigne the sum of twenty poundes ; or that the said Sir William Gascoigne woold haue boundon the sayd compleynant and suffycyant suertes with hym in xxli. to ye use of the said Sir William Gascoigne ; or that the sayd Sir William Gascoign sent the sayd compleynant to the Castell of Yorke, by cause he and suffycyant suertyez with hym woold not be boundon to pay unto the said Sir William Gascoigne the sayd sum of xxli. ; or that the said Sir William Gascon reportyd to the sayd compleynant that the cause of his imprysonament was for that the sayd compleynant had not brought the said George Wade to the sayd Sir William before the sayd compleynant sent the sayd Wade to the sayd Castell of Yorke ; or that the said Sir William Gascoigne for the same acte so don by the sayd compleynant beryth contynuall malyce, gruge, and dyspleasure agaynst the sayd compleynant ; or that by reason thereof the said compleynant doth dayly stand in great feare and daunger. All which matters the sayd Sir William Gascoigne is redy to averre as this honorable Court shall award, and prayth to be dysmyssyd out of the same Court with his resonable costez and damagez for his wrongfful vexacon susteynyd in this behalffe. (*Ibid.*, No. 123.)

No. LIII.

To the kyng our souereyn lord.

In most humble wyse compleynyng shewyth unto your gracious Highnes your pour subiett and daily oratour, William Frensh, that where one Robert, abbott of the monasterie of our Blyssed Lady Virgyn of Byland, in your countie of Yorke, was seased of and in the manour or graunge of Graund Thorp^a with the appurtenaunces in the seid countie of Yorke, in his demene as of fee and right, and in the right of his seid monasterie ; and soo beyng ther of seased oon Thomas Coleuyle knyght by his deid did graunt to God and the church of our Blessyd Lady and to the seid abbott and conuent of Byland aforeseid, and to their successour, emonges other, that they shuld haue comon of pasture for all the proper goodes of the tenauntes of Graund Thorpe beforeseyd within the wood and more of Euereslay, in euery plas wher soo euere the seyde goodes wold goo, as long as the seid comon did endure. By force whereof the seid abbott and all his successours was seised of the seid comon as of fee and right as in the right of the said monastery by the pasturage of the catalles of the tenants of the seid abbottes, beyng tennantes of the seid maner or graunge of Graund Thorpe. And after the deth of dyuers abbottes of the seid monastery lawfully elected and installed, oon John, now abbatt, was laufully elect and enstawled abbott of the said monastery and was seased of the seid manor or graunge of Graund Thorpe in his demene as of fee and right, as in the right of the seid monastery, and soo beyng seased aboute the first day of June, in the xxiiijth yeir of your most noble regn (1531) dymysyd and latt to ferme the seid maner or graunge to oon Jamys Fox, to haue to hym and his assignes from the fest of the Inuencion of the Holy Crosse (May 3) last past before the fyrst day of June, unto the ende and terme of xv yeris then next folowyng and fully to be complett and endytt ; by vertue whereof the seid James was of the seid maner or graunge possessed acordyngly. And after the seid James the fyrst day of March, in the seid xxiiij yeir, did dymyse and latt to ferme oon mesuage and a croft, parcell of the seid maner or graunge, to your seid pour oratour, to haue to hym from the fest of the Inuencion of the Holy Crosse then next folying unto the end and term of oon yeir, and soo from yeir to yeir, as long as the seid James will agree. By vertue whereof your seid

^a Thorpe-le-Willows, near Ampleforth Station, also called Thorpe Woolhouse.

pour oratour entred and was theirow possessed accordingly, and, soo beyng possessed of the seid mesuage and croft, used and occupied comon of ryght belongyng to the seid mesuage and croft with two yonge kie and on mare, as lawfull was for hym to doo. And soo itt is, god and graciouse lord, that one John Wildon, of Yeresley, in your seid countie of York, gentilman, John Hesylwood of the sam, laborer, William Lamley of the same, laborer, Thomas Hornby of the sam, laborer, and other persons to the number of x to your seid oratour unknowen, the xiiij day of May in the xxv yeir of your moust noble reign (1533) with force and armis, that is to sey, swerdes, bowkewerys, and stauez, in riotuose maner, did take the seid two yong kye and mare, and theym retenyd and withheld to such tyme as your seid oratour dyd make fyn with the seid John Wildon for the sam, that is to sey, for euery of the seid kye xij*d.*, and for the seid mare viij*d.*, to the utter unduyng and inpouerysshynge of your seid pour oratour. In consideration wheirow it wold please your graciouse highnes to graunt to your seid pour oratour your gracious writtes of *sub pena*, to be dyrected to the seid John Wildon, John Haselwood, William Lamley, and Thomas Horneby, commandyng theym, and euery oon of theym, by the sam, personally to appeir be fore your gracious heghnes and your most honorable Councill att a certeyn day and place, etc., etc.

[Endorsed :] Before the lord the king and his Council at Westminster, on the morrow of All Souls next to come. (*Ibid.*, vol. xv, No. 317.)

No. LIV.

To the kyng ouer soueraigne lorde.

In most humble maner shewyth and compleyneth unto your highnes your dayly oratours and subiectes, William Garnet and Antony Rose, that where thabbot and conuent of your monastery of Couerham, within your county of Yorke, were seased of and in one tenement in Dente, called the Kyrke house, in their demeane as of fee and in the righte of their saied monastery ; and, so beyng therof seased, thre yeres past or thereabowte dymysed, graunted, and to ferme lette unto your saied subiectes the saied tenement with all thappurtenaunces, To haue, hold, occupie, and inioye to your saied subiectes and to their assignes for the terme of twenty yeres then nexte folowyng, yeldeing and payeing therfor yerly to the saied

abbot and couent fourty shillinges of lawfull money of England, at two termys in the yere, by evyn porcyons. By force wherof your saied subiectes dyd entre into the premysses with thap-purtenaunces, and were therof lawfully possessed unto the xxti day of Maye in the xxvjth yere of your most noble reigne (1534) that one Marmaduke Hogeson, of Dent, in the saied countye of Yorke, yoman, Richard Trotter of the same towne, yoman, William Wyllan, sonne of Edwarde Wyllen of Dent, yoman, and Myles Wyllan of the same towne, yoman, and dyuerse other persons to your subiectes unknowen, to the nombre of xxti persons, with force and armys, that is to saye, with bowes, arrowes, swordes, buklers, and other defensible weapons, the said twentye day of Maye last past, in the said xxvjth yere of your most noble reigne, ryotously dyd entre into the saied tenement and all other the premysses wyth their appurtenaunces, and therof wrongfully dyd expulse and put fourth youre saied subiectes owte of the same tenement in most ryotous maner, and the saied tenement with all and singular the premysses from your saied subiectes with force dyd ryotously kepe and wythhold, and yet doo, and will not suffre your saied subiectes to occupie the same ageynst all righte and consciens. And further more the saied ryotous persons the saied xxti daye of May last past made assaute and affray of your saied subiectes, and them then and therefore wounded and mayhemed, ageynst your lawes and peace to the most pernycious example [etc.]. May yt please your Highnes to grauntt your severall wryttes of *sub pena* to the saied Marmaduke Hogeson and the others personally to appere before your Highnes and your most honorable Counsell at Westminster [etc.]. (*Ibid.*, vol. xvi, No. 7.)

No. LV.

To the kyng our souereigne lorde.

In the most humblye wyse sheweth unto your Highnes your daylye orator and bedeman, Robert Gludehill, prest, how that long tyme past one Sir John Seyvile, knyght, of hys god deuocion and perfite mynde, ordeigned and establisshed a chaunterye of one prest in the chirch of Elande in the countie of Yorke, ther dayly to sing and to pray for euer for your grace and for the soules of your most noble progenitors and of the seid Sir John, and hade licence to graunt to the seid prest for

euer viij marc yerely rent out of a mease and diuerse landes in Hymesworth, called the Newstede, and out of other tenements in Wyke in the seid countie by the lettrez patentez of Kyng Richarde the secunde.^a So it is nowe, gracious lorde, that the seid landes and tenements in Hymesworth be in the handes of one Thomas Methley esquier, and the seid Sir Robert hath dyuerse tymes asked the seid rent of the seid Thomas Methley, and he utterly denyeth to pay the same and hath oft tymes in riotose wyse made rescus when that the seid Sir Robert schulde have streigned for the seid rent contrary to the lawe. And for so much as the seid Thomas Methley is a mighty esquier and of great kyne in the said countie, and your seid orator is pore and not of power to sue for the seid rent by the ordre of your comon lawe, hauyng nothyng to lyf upon except onely the seid rent, which is not payde, therfor please hit your Highnes to direct your gracious lettrez undyr your privey seale unto the seid Thomas comaundyng hym to apere [etc.].

[Endorsed:] Hilary Term 14 Henry VII (1498-9).

In his answer Methley says the suit is only ymagynyd of great malice for vexacion and troubill, and the mater therin contenyd determynabill at the comen lawe. He does not know eny such rent to be goyng owte of the tenements called Newstede, bot for declaracion of the trught he seith that one Sir John Sauile, knyght, is seassyd of the seid tenements, and one Thomas Sauill, ancestour of the same Sir John, whos heir he is, being seassyd of the tenements in the bill named, yt was agreed betwyxt the same Thomas Sauill and one Thomas Methley, ancestour of the same Thomas Methley, whos heir he is, that the same Thomas Methley shuld haue the seid landys and tenementes callyd Newstede, and that the seid Thomas Sauill shuld haue all the landes and tenementes that the same Thomas Methley had in Thornhill' in recompence for the seid landes and tenementes callyd Newstede. And ouer the same Thomas Sauill by his dede granted that if the seid Thomas Methley, or eny of his heirs, wer distrenyd by the chantre preste of the same chantree in the seid bill specefied, or by eny of his successors, that than it shuld be lefull to the same Thomas Methley and to his heires to distreyn in the maner of Thornhill', wherfor in consciens the seid

^a This chantry was founded in 1396, and was endowed with a messuage in Elland, a rent of eight marks from the manor of Wyke, by Okenshagh (in the parish of Birstall), and land in Hemsworth (*Yorkshire Chantry Surveys* (Surtees Society, xcii), ii, 298).

Sir John Sauill is bound to pay the seid viij markes of rent and not the seid Thomas Metheley. And ouer this same Thomas seth that the same Sir Robert and his predecessours hath be [*sic*] content to resceyue the seid rent by the hands of the same Sir John Sauill and of his ancestours, and contynually payed by their handes, wherfor the same Thomas praith that by the auctorite of this Court the same Sir John Sauill may be callyd into this court to discharge the seid Thomas Metheley and his londes of the seid rent. And ferther the same Thomas seith that he is not gylty of eny rioute, force, or such mysdemenour, as in the seid bill is allegyd, all which maters the same Thomas is redy to prove as this Court will award, and praith to be dysmyssyd oute of this Court with his resonabill costes and damages that he hath sustenyd in this behalf.

. . . Thomas Sayvile his aun . . . whose heir he is was seased of the seid londes and tenementes called Newstede . . . wherof the seid rent is supposed to be goyng out, in his demesne as of fee taille, and so beyng seassed by gret subtile . . . Metheley, auncester of the seid Thomas Metheley, now tenant, made exchange with the seid Thomas Metheley, the auncestre . . . Thomas, nowe defend', of the seid londes and tenementes called Newstede for other londes and tenementes of the seid Thomas Metheley . . . and furthermore the seid Sir John saith that, if the seid Sir Thomas Sayuile made any graunt to the seid Thomas Metheley the . . . the seid exchange to distrein in the maner of Thornehill for any rent, lyke as the seid Thomas Metheley defend' hath showed in his answer, that the seid Sir Thomas Sayvile was seased of the seid maner at tyme of the seid graunte in his demesne as of fee taille, and died seased of the seid maner of Thornehill. After whose deth the seid maner discended to one Sir John Sayvel, son and heir of the seid Sir Thomas, and he died seased of the seid maner. After whose deth the seid maner discended to the seid Sir John Sayvile, as cosyn and heir of the seid Sir John thelder, and so the graunt of distresse for eny rent out of the seid maner of Thornehill made by the seid Sir Thomas Sayvile by the ordre of the coi'en lawe voide and none effecte. And furthermore the seid Sir John saith that the seid londes and tenementes called Newstede ar more in yerely value then the seid londes and tenementes which the seid Sir Thomas Sayvile hade in Thornehill of the seid Thomas Metheley, the aunc[estor], by the som of xij*li*.

and so in consciens the seid Sir John aght to be discharged of the seid graunt of distresse in the seid maner of Thornhill, if any such were, if the ordre of the coi'en lawe wolde not discharge the seid graunt, etc. All which maters the seid Sir John is redy to proue as this Courte will awarde and asketh in iugement and praith to be dismissed. (*Ibid.*, vol. xvi, Nos. 86, 87.)

No. LVI.

To the king our soueraigne lorde.

In hir moost humble wise pitefully complaynyng, shewith unto your mooste excellent Highnes your poore subiect and daily oratrice, Isabell Goddeshalf, widowe, late the wiff of Anthony Goddishalf, late of Newbolde, in your countie of Yorke, decessed, that wher the said Anthony accompaned with Richarde Jenynson, Robert Clerck, Thomas Smyth, John Hull, Thomas Hall, Robert Stephenson, John Burton, and Richarde Banke, being poore husbondmen, inhabitauntes of the towne of Newbold forsaid, which is within the Libertie and Fraunches of the cathedrall church of Saint Peter of Yorke, without hurte or harme thinkeing to ony person, the vjth day of June, this present xvjth yere of your moost noble reigne (1524), in peacible wise, as they used daily to goo without ony wepons, came to a common forge or smythye sett in Newbolde forsaid, ther to haue prepared their tooles and thinges of husbondrye, and to doo their lauffull busynes in the same smythie ; soo it was, moost dradd soueraigne lord, that one Henry Machell, clerck, persone and prebendarie of Newbolde forsaid, William Richardson, Thomas Barret, John Baynbrige, Thomas Stile, Hugh Coke, Richarde King, and others to your said oratrice unknowen, of their malice prepensed, not fearing God nor the daingier of your lawes, moost drad soueraigne lorde, rioutously, with force and armes, that is to say, with holberts, billes, staves, swerdes, and knyves, at Newbold foresaid, the daye and yere foresaid, unlauffully assembled, and the same daye and yere with the said wepons rioutously and in terrible maner came through the strete of Newbold forsaid from the dwelling hous of the said Henry Machell to the said forge, which was farr distant from the said hous, to thintent to haue murdred and beton your said poore subiectes at the said forge then being. And the said riotous persons, of their said prepensed malice, riotously and in moost rigorous

and cruell maner, then and ther, at the same forge, made assault upon your said poore subiectes ther, being weponles and in Goddes peace and yours, moost drad soueraign lord, and in the same assault the said riotous persons violently drue the said Anthony, late husbond to your said oratrice, being an innocent poore man, hauyng noo maner wepon for his defence, bakwarde to a wall ther being, and with a bill then and ther strake the said Anthony upon the hedd in soo pituous wise that the brayne ranne and issued out of the hedd of the same Anthony, by force of which stroke and pitefull wounde the same Anthony, then and ther, immediatly, without ony woorde speking, fell down and died, and soo the said Henry Machell and thother of his riotous company biforesaied, of their said malice, the same Anthony then and ther pitefully and abhomynably slewe and murdred against your lawes and peace. And the same Henry Machell with his said riotous company, perceyuyng the same Anthony to be soo by them ther murdred and slayne and lyeng ther ded upon the grounde, for the same felony and murdre then immediatly did flee, withdrewe them selves, and avoided to saintuary places and to other places to your said oratrice unknowen. And alsoo the same Henry then immediatly caused six hundred sheepe and dyuers other goodes of the said Henry Machels to be conveyed out of the Fraunches forsaid into dyuers places to your said oratrice unknowen. And of the which felony, murdre, and fleing the said Henry Machell and thother of his said company ben lauffully indicted bifoire the coroner of the same Libertie by the othes of xij honest persons of the same Libertie, by reason wherof all the goodes of the same Henry and of thother murdrers bifoire named ben forfected to your Highnes. And the said Henry Machell is soo greatly kynned and frended in those parties, and your said oratrice hauyng on hir hande iiij poore children, of whome theldest passith not thage of foure yeres, is in suche pouertye and not able to pursue against the said murdrers by cours of your co'en lawes, that of likelehood the said heynous and detestable murdre by the great might of the same Henry and of his frendes shalbe soo cloked and colored that the same murdrers shall escape without due punisshement therin to be hadd, to the right perilous example of all other like murdrers if it shuld soo be. In tendre consideracion whereof may it pleas your said Highnes, of your moost habundant grace, to graunt your honorable writtes *sub pena*, to the said Henry Machell and to thother riotous persons bifoire named to be direct, straightly comaunding them by the same tappier

bifore your said Highnes and the noble lordes of your mooste discrete Counceile at Westm' at a certain daye, etc.

Henry Machyll, clerk, in his answer says that the matter in the bill contained is craftily imagined only of pure malice, to the intent to put the said Henry to slander, cost, and trouble; and ouer that for declaration of the trouth in the premysse he sayth that the daye byfore the seid vjth daye mencioned in the seid bill the seid Richard Banke, in the seid bill namyd, of his malycyous and euyll disposed mynde, confeteryd hymself w^t oon Marmaduk Constable of Clyff in the seid countie, as it shuld seme, to doe the seid Henry Machell displeasure, after which seid confeterecy by theme thus had the seid Banke, thaforeseid vj daye of Junij, by v of the klok in the fore none of the same day, unlaufully procuryd the seid Antony Goddishalf, Richard Geneson, and all other thaforenamyd persons, which is supposid to be at the seid forge, and also the seid Ric and Thomas Steele, which is supposyd by the seid bill to be murderers, and all oder thinhabitantes of the towne of North Newbolde, goyng howsyn by howsyn thorough all the seid towne, to thentent that they should assēble themself at a Grene within the same town of North Newbold, there to make extent and clayme to haue turves and thornes beyng in the west ground of theseid Henry Machell, in the right of his seid prebendary, by force wherof the seid persons, which is supposyd to be at the seid forge and oder thinhabitantes of the seid towne of North Newbold, to the number of iij^{xx} persons or therabout, then and ther, at theseid Grene, thaforeseid vj daye, at vj at the klok of the fore none, of the same daye, unlaufully assemblid themself in a gret rout, hauyng billes, staffes, clubbes, pycheforkes and oder wepons after the maner of warre, and so beyng ther assemblid in the seid riottous maner, thaforeseid Richardson, namyd in the seid bill to be oon of the seid murderers, beyng baylyff of the seid towne under the seid Henry Machell, in peasble and quyet maner, came to theseid riottous persons so beyng assembled uppon the seid Grene, and them desyryd in fayre maner that they wold departe, or ells to comme and speke with theseid Henry Machell, wheratt the same riottous persons sayd that he should go fetche the seid Henry Machell to them, for they wold not come to hym, and theruppon the seid Richardson came to the seid Henry to his hous beyng nye to theseid Grene, the same Henry then beyng in his bed, and ther shoyd and declarid that the seid Bankes and oder thinhabitantes of the seid towne were there uppon the seid Grene, and desyrid hym

that he wold speke w^t them, and ther uppon departid his waye, by reason wherof the seid Henry Machell, thynkyng no bodely hurt to no person, made hym redy, takyng a hall walkyng staff in his hande, havyng a whystell in the ende of the same, came in peasble maner unto the seid riottous company, hauyng no maner of person with hym then, demaundyng of them to what purpos they came under that riottous maner, to whom the seid Banke, as pryncypall captayn of the seid riottous company and procurer of the same, sayd that they wold have thornes and turves in the seid common of the seid Henry bylongyng to his seid prebendary, wheronto the same Henry sayd that the court should be ther holden within viij dayes next foloyng, at which court they should haue that they ought of right to haue, to whom the seid Bank and oder then aunswered and said, Wee wold that wee demaunde and try the right afterward. And the seid Banke, then beyng in his rancour, furye and malis, toke the seid Henry Machell violently by the bosom, sayng, Thow prest, what makyst thowe here, gete the hens, or els thow shalt haue that thowe comyst fore, or souch oder wordes lyke. And oon John Bay[nbrigge], unknowyng to the seid Henry, then ther beyng, supposid that the seid Banke and oder the seid riottous persons intendid to murder the seid Henry, sayd to the seid Banke, Ho[ld] of the hondes, and for savegard of the seid Henry Machell and for his defence drowe his sword, and the seid Henry, perceuyng thesame, desyred the seid Baynbr[igge] to make no more busynes, chargyng hym in the name of God and the kyng to kepe the kynges peas, and toke the seid John Baynbrigge in his armes, and he, so beyng and tharmes of the seid Henry, the seid Thomas Hall, beyng oon of the seid riottous persons that were at the seid Grene, kast a stone at the seid Baynbrigge and therwith strake hym hed, by reason of whych stroke the seid John Baynbrigge then fell to the ground and then one Thomas Barat, seruant to the seid Henry, heryng of the great rumor and noyse that was made upon the seid Grene, came runnyng to the seid Grene, to se what the seid noyse should mene, and as sone as the seid Thomas Barat was come to the seid Grene, which thought to no man ony bodely hurt, the seid riottous persons then and ther strake the seid Baret uppon the hed, and dyuerc oder places of his body, wherof the seid Baret within iij dayes after dyed of the same strokes, and so the seid riottous persons then and ther felonously slewe and murderyd the seid Thomas Baret, without stroke on ony oder occasion geuyn to the seid riottous persons by the seid Thomas Baret, or the

seid Henry Machell, or ony oder for them, in the tyme of which foreseid affraye and riott¹⁴⁹¹ so made the seid Henry Machell, beyng in gret fere and jeoperdye of his lyff, depertid as priuily as he cowde, to his seid hous, beyng nye to the seid Grene, for sauegard of his lyff and th the seid riottous persons hym foloyd and pursewyd, sayng, Let us pull out that false prest out of his house, and ther uppon dyuers of the seid riottous persons ran to the churche, and rang the belles, by reason wherof the hole inhabitantes of the seid towne rose and came to the house of the seid Henry, to thentent as it shuld seme to haue slayn and murderid the seid Henry, and the same Henry, apperceuyng the same, for fere of his lyff, convayd hymself to a towne nere unto the seid town of Newbold callyd Wyghton,^a and the seid euyll disposid persons, apperceuyng that the seid Henry was gone from his hous for fere of his lyff, the seid riottous persons gate them on horsbak and lay in a wa Henry bytwyxt the seid towne of Newbold and souch oder places as they thought theseid Henry Machell wold haue comen and had recors unto, and the seid Henry fod lyeng in wayte of the seid euyll disposid persons, the same Henry by the councell of oon Mr Wylson, bacheler of dyuynyte, oon of the kynges scolers of Cambrege, convayed hymself in a noder waye in the company of oon William Caunt, clerk, to a benyfye of the seid Caunt called Semer,^b and ther taried onto souche tyme as he had the depertyng of the seid riottous persons. And the seid Henry went to a noder hous of his owne, callid Dunyngton, xiiij myles from the seid towne of Newbold, duryng the of which seid riott so commyttid and done by the seid riottous persons, the same Henry had vj of his houshold seruantes that were huntyng and makyng their disport ij myles or more from the seid towne of Newbolde, and also ij of the chaplyns of the seid Henry at the tyme of the seid riott were contynually in the hous of the seid Henry, not knowyng of the seid riott w it doth appere that the seid Henry intendyd no riott ne hurt to no person, for if he so had don he wold haue had his seid seruantes about hym and not haue suffered them to have gone ne itt taryed at his hous. Without that that the seid Richard Bank, Richard Geneson, and oder the seid inhabitantes of the seid toun of Newbolde, in the seid bill specyfied, in peasble wyse as they use dayly to go came to the forge or smythy, sett in the seid toun of Newbold, ther to prepare their toolis of husbondry and to do oder

^a Market Weighton.^b Seamer, near Scarborough.

their lafull busynes in the same forge or smyth in maner and forme as in the seid bill of complaynt is untruly supposid, but dyd unlauffully assemble themself by the procurement of the seid Banke in souche maner and forme as is aforesaid. And without that that the seid Henry Machell, William Richardson, Thomas Baret, John Baynbrigge, Thomas Stele, Hugh Coke, and Richard Kyng, or eny of them, of malice prepencyd, assemblid themself the same vj daye of Juny in riottous maner, in maner and forme as also in the seid bill is alleggyd, or oderwyse usyd themself then in this aunswer afore rehercyd, or that the seid Henry or ony oder the seid defendantes came in eny riottous or forcyble maner thorough the strete of Newbold aforesaid from the duellyng house of the seid Henry to the seid forge, or that the seid Henry, or ony the seid defendantes which is supposid to be in the company of the seid Henry, intendyd to haue betyn and murderyd the seid Goddishalf, or ony oder person in the seid bill named, or that the seid Henry, or ony oder of the seid defendantes, made ony assaute on ony person or persons then ther beyng at the seid forge, or the seid Goddishalf and oder the seid persons fayned and supposid to be at the forge were ther without wepon in maner and forme as in the seid bill is untruly alleggyd ; and without that that the seid Henry or ony oder to his knowlegge dryve the seid Antony Goddishalf bakward to ony wall in maner and forme as also in the seid bill it is untruly alleggid ; or that the seid Henry, or ony oder by his assent, wyll and procurement, strake, slewe, or murdered the seid Antony in maner and forme as also in the seid bill it is untruly alleggid ; or that the seid Henry, for ony felony or murder, fledde or withdrawe hymself to ony sentuary or to ony oder place in ony oder maner, or for ony oder cause, but only for fere of his lyff and savegard of his person from the cruelte of the seid riottous persons ; and without that that the seid Henry after the seid afraye causyd vj^e of his shepe, or ony of them, or ony oder his gooddes or catalles, but souch as was for his necessary occupation and lyvyng, to be conveyd oute of the seid Fraunches in maner and forme as also in the seid bill it is untruly alleggyd ; or that ony souch gooddes or catalls, oder than is aforesaid, ware conveyd out of the seid Franches, and if they were it was unknoven to the seid Henry, and contrary to his mynde and intent ; and without that that the seid Henry Machell is truly or accordyng to the lawe indityd byfore the crowner of the same Libertie by thotes of xij honest persons in maner and forme as also in the seid bill is alleggid ; or that the gooddes and catalles

of the seid Henry, or ony parte therof is forfetyd to the kyng our soueren lorde by reason of ony souch pretencyd inditement ; and without that that theseid Henry is so gretly of kyn and frynded in thoes parties, so that by his meanes, myght or power, or ony oder his frendes, that the seid pretencyd murdrers [or] eny of them, shuld be coloryd or clokyd, or ony oder wyse escape unponysshed or uncorrectyd, accordyng to their lawes and their demerites ; and without that that the same Isabell is of souch povertie that she is not able to pursewe agenst the seid pretencyd murderers so supposid to be done by course of the common lawe in maner and forme hath also in ther seid bill untruly alleggyd ; and without that that ony oder thyng in the seid bill comprisid, beyng materyall and aunswerable and by not answerd is trewe, all which the seid is redy to proeff, etc. (*Ibid.*, vol. xvi, Nos. 94, 95.)

No. LVII.^a

To the kyng our moost drad souerayng lord.

In moost lamentable maner complayning, shewith unto your Hightnes your faithfull subiect, Robert Gooldisburgh of Poumfreth within the countie of York as your said subiecte, beyng in charitable and quiett maner of longe tyme at Poumfreth afforsaid, haith beyn malic laytt maior of the said town of Poumfreth nott only in losse of his goodes and diuers assauttes and frays maid upon malicious actes doyn to hym as hereafter itt doith appere. Furst the said William Wilbore causid on Myles Horner to assautt, affrey, and maike quarrelles upon Goldisburgh at Poumfreth afforsaid abowte the xxviij^{ti} day of October in the xxvj^{ti} yere of our said souerayng lord kyng Herry the eight (1534), to his greatt daunger also the said William Wilbore, the tent day of Dissember next after, with force and armes, that is to say, with staffes, billes, and glavez, toke from Isabell, wiff to the Robert Goldisburgh too horsse loodes of fresshe fische, callid fresshe lynge, haddokkes, and kyllinges,^b at Poumfreth afforsaid, remaininge and beyng in the oppyn shopp Robert Goldisburgh, oppynnyng into the merkett place of the said town of Poup-

^a Very much damaged.

^b A codfish. The exact sense seems to have it varied, in different localities, from "large cod" to "small cod" or "codling."

freth, and the same cast into the streitt beyng verey fowll with rainin (?) and mire and that your said orator could not taik eny profett theyrof by wey of saile or other wyse ; and not content theyrwith, bott forther of his malicius and cruell purpas, with knyff callid a fissue knyff, the said Isabell, wyff to your said subiectt, being great with child, wold haue slayn the said Isabell, yff that gud rescall had maid, and at the same tyme as the said knyff did cutt hir uppon the hand a greatt wounde ; and further the said William Wilbore of hes malicius mynde, beyng maior of the said towne of Poumfreith, of imprisonid without eny offence and contrarie to all lawez, that is to say, the xvijth dey of Januery in the said xxvjth yere of lord kyng the (1534-5), without cause or order of the law, commaundit the said Robert Goldisburgh to a prison callid the Kydcott, whereas all felons and murderers remanith, where as theyr prison within the said town, callid the Moitt Hall, for aney cause of imprisonment of burgesses of the same town, and theyr remanid by the space of v deys to the greatt damage of his body and losse of the prouicion of his leving. And after that the xxiiijth dey of June, in the xxvijth yere of our said souerayn lordes reyn Kyng Herry the eight (1535), at Poumfreth afforsaid, commaundith the [sic] Miles Horner, beyng officer of the said town, callid sergent to the said William Wilbore, for the tyme being maior, to conuey the said Robert Goldisburgh to prison agayn without eny cause or order of the law, nott only intendyng to cause the said Robert to breik the peas, but also forther falsly, cruelly and without cause to ponisse at which tyme the said Robert, beyng in the merkett to sell fissue, charetably, quietly, and gently desierid the said Miles to spare hym onto the merkett where doyn and he wold obbeie the said maior is commaundment, and willingly goo with hym to prison. After which gentill mediacion maid to the said Miles immediatly the said Wilbore, beyng maior, and diuerc with hym, in riotus maner and with as well obprobrius wordis as also extrem malicious actes, and droffe the said Robert Goldisburgh fro his merkett, utteryng and sellyng his fissue, and yf gud men had not beyn, wold haue slayn the said Robert with a dager, takyn hym by the brest and swere by our Lordes body, I shall styk the and then and th . . . grevusly beytt and hurt the said Robert with a great haubert^a uppon the handes, and with the same

^a That is, a halberd.

upon the bak as he was fleyng, and nott content with thos
 abbominable actes, bott forther of his said great
 extort power at the same tyme commaundit the said Robert
 Goldisburgh escesoyns^a to prison and after that abowt four
 hourez toke certeyn bondis of the said Robert Goldis-
 burgh by obligacion to many inconueniencez. And after that
 abowte seven dais next after another a fourt tyme
 the said Robert Goldisburgh, at Poumfreith afforsaid, sent
 to prison ayen and their hym impprisoned by the space of
 fouer or fyue with imprisonment, assaulttes, maneszez,
 and batres, haith the said Robert Goldisburgh in suche
 fere and trouble that he durst nott, nor cowlde not, goo
 nor labor abowte hes levyng, as euery trew person
 of the kynges subiectes shuld doo, to his utter confusion
 and undoyng. And albeit the said William Wilbore haue beyn
 indited fer of on Sponer of Sheffield within the countie
 of Yorke, of the whiche he was arreined and pleidit the kynges
 perdon, whiche is condicinall that he be and demenor,
 yet the said Wilbore was nothings afferid thus cruelly, mali-
 ciously, and extremly, to use your said faithfull subiect, as is
 afforsaid, it doith app many other malicious actes
 and extorcions doine within the said town of Poumfreith, the
 tyme of his said maioralte, as playnly shalbe proved, as well
 by truly presentid for the same as also by sufficient
 provez hereafter. In consideracon whereof it wold pleas your
 said moost gracious Hightnes, the premiszez moost graciously
 considerid, and for that your seid subiect is a very pour man,
 specially by the devillisshe demeanor of the said Wilbore, to
 grauntt furth your gr writt of *sub pena* to be directid
 to the said Wilbore, commaundyng hym by the same, at a
 certeyn dey, and under a certeyn payn, to appere affore your
 said Hightnesse, etc.

In his answer William Wilbore denies the malicious assault,
 false imprisonment, etc., and says that in 26 Henry VIII, he
 was elected by the whole assent and consent of the aldermen
 and commonalty of the said town to be mayor. The plaintiff
 was a fisher within the said town, and contrary to the order,
 purveyance, and custom thereof, sold his fish within his own
 house, and would not come into the open market to the places
 there assigned for the sale of the same, to the intent that people
 resorting unto the same market should not know what store

^a Essoins or essoigns, properly the excuses made for non-attendance in
 court at the appointed time; but here, apparently, the sureties for the
 accused's appearance.

and plenty of fish was in the said market, by reason whereof the price of the same fish was the more larger and dearer. This the defendant perceived, and commanded the plaintiff to carry his fish into the common market, which the plaintiff utterly denied and refused with vile and opprobrious words. For his frowardness and for breaking the laudable customs of the said town the defendant commanded the plaintiff to be had to the Kydcote in the said town, which is the place of imprisonment there accustomed and ordained for such offenders, to remain there until he would obey the lawful rules and customs of the said town. As to the second imprisonment the defendant says that the plaintiff eftsones, of his wilful and malicious intent and mind, being a man full of great trouble and slanderous of words, in the house of one Aleyn Ayre of the said town, openly called the defendant, wretch, caitiff, etc., in the presence of William Reynold, Richard Todd, Richard Guye, and others, who reported the said words to the defendant, then being mayor, before all the twelve Brethren of the said town, whose advice the defendant asked. With their consent he was imprisoned until such time as he would promise or otherwise find surety to be of honest condition and behaviour against the defendant. Notwithstanding the defendant, having pity of him and supposing the plaintiff would amend, spared the execution [*sic*] of the said plaintiff by the space of three weeks and more, until such time as the plaintiff came after a proud and lewd manner before the door and window where the said defendant was, at which time he made a proud countenance towards the defendant, dyverse gentlemen being with him in the said house. The defendant thereupon sent Miles Horner, his common sergeant, to require the plaintiff to come and speak with him, which the plaintiff refused to do, striking the said Miles in the presence and sight of the defendant and the other gentlemen. Whereupon the defendant, as high officer to our lord the king, after a peaceable manner, took the said plaintiff and commanded him to prison until such time as he had found sufficient security to keep the peace.

The plaintiff in his replication acknowledges that he was a fishmonger as well for the said town of Pontefract as for other market town, etc., places convenient within the same country. Commonly every market day he conveyed fresh fish from the sea to Pontefract and brought it into the market place to sell, except on rainy and troublous days when he could not sell in the open street. Then he used to sell in an open

shop opening towards the market place or plain street,^a which lawfully he might do. On the said 10th of December he had brought two horse loads of fresh fish, and the day being rainy and troublous he commanded his wife to sell the same in his said open shop. It was worth 13^s 4^d a load. He repeats his former statements and denies his opprobrious words, and the other assertions of Wilbore. (*Ibid.*, vol. xvi, Nos. 152-154.)

No. LVIII.

To the kyng our souerane lord.

Lamentably complaynyng sheweth unto your highnes your true and faithfull subgete, Willyam Golthorp^b of Golthorp^c in our countie of Yorke, gentilman, that where your seid orator was and yett is seised in his demeane as of fee of and in a mese with thappurtenances, sett and lying in Bolton upon Derne, in the seid countie of Yorke, soo it ys, moost gracious souerane lorde, that oon Richard Wade of Bolton, accompaned with Thomas Chapell, Rychard Pygot, Alexander Watson, Edward Byngley, and dyuers other riotous persons to the noubre of viij, in maner of warre arrayd, that is to say, with billes, glaues, axes, pychforkes, mattokkes, and other wepens invasyve, about the fest of the Inuencion of the Crosse in the xj yere of your moost noble reigne (May 3, 1519), in the seid mese of your seid orator riotously and with force brake and entryd, and then and there the seid house pulled and cast downe to the grownd, and the tymber therof wasted and burne[d], and of the londes and parcell of the seid mese yett stondyng riotously dispossed [*sic*] your suppliaunt, and as yett with force doo kepe the same from the same your suppliaunt, soo that he dare not take the profittes therof ne occupie the same for fere of his lyfe and murdryng of his servanttes, to the grett jeperdie and perilous example of other lyke offenders, yf such heynous riottes shuld remeyn unponissed, wherin your suppliaunt hath no remydie oonles condigne ponysshement by your highnes be not prouyded in this behalf. In considera-

^a In a street free from obstructions. "This street is very plain, the wind is much felt in it." (See *s.v. Plain*, in N.E.D.)

^b Perhaps the same person as William Golthorpe, of Golthorpe, who married Jane, daughter of John Wentworth, of Elmsall (Foster's *Visitations of Yorkshire*, p. 378).

^c Goldthorpe, in the parish of Bolton-upon-Dearne, 6½ miles north-east of Rotherham,

tion wherof please itt your grace to graunt seuerall writtes of *sub pena* to be directed to the seid ryotouse persons [etc.].

[Endorsed :] Before the King and his Council at Westminster in the Quinzaine of Michaelmas next to come. (*Ibid.*, vol. xvi, No. 172.)

No. LIX.

To the kyng our souereyn lorde.

In mooste humble wise sheweth unto your moost royall magestie your faithfull subgete and dailye orator, Symon Gounbye of Gowle, in your counte of Yeorke, that wher your said orator in the second daye of September this present xxxvjth yere of your moost noble rayn (1544), beyng in Goddes peace and yours, souereyn lorde, att Swyneflete, in the said counte, in and upon a certeyn tenement or farm of your said orator in Swyne Flete forsaid, wherof your said orator then was and yet is lefully seased in his demesne as of fee by good, just, and lefull convayance, by your said orator purchaised and boght to hym and his heires of Sir Thomas Henege, knyght, late very owner therof, one John Hyde, yeoman, John Penythorn, yeoman, Robert Richerdson, John Michill, Thomas Robynson, Richerd Ober, William Herad, of Sw[i]ne Flete forsaid, Alexander Baker and Thomas Stephenson of Whitgyft, in the said counte, yeoman, in royottes maner arrayde, that is to saye, with swerdes, buklers, daggers, bylles, stavys, and other wepyns invasyve, agayn your peace, moost dred souereyn lord, entendyng to myscheve, murder, and slaye your said orator, then and ther made assautte and affraye upon your said orator, and by force and vyolence dyd kest downe and overthrowe your said orator upon the ground, and som of the said royottes persons then and ther beyng dyd hold hym so fast by the throte sondrye tymes, that he was almoost stranglyd and his breth takyn from hym, and he, so lying upon the ground, the said malifactors gave unto hym many grett blowes upon the hedd, and trodde upon his bodye with ther feete, and so brusyd hym that by reason of the said brusyng and beetyng he ys in daunger of deth, to the evyll example of suche offenders and a grett encoragyng of suche mysdoers, yf condygne punnyshment be nott had with spede in the premissis. In consideracon wherof yt maye please your moost royall magestie, of your benygnyte and accustomyd goodnes, to graunt seuerall writtes of *sub pena* to be dyrectid unto the said John Hyde, John

Penythorn, Robert Richerdson, John Mychill, Thomas Robynson, Richerd Ober, William Herad, Alexaunder and Thomas Stephenson, commaundyng theym by vertue therof personally to appere before your magestie and the lordes of your moost honorable Counsaill in the Starre Chamber, att Westm', att a certeyn daye taunswer to the premisses, there to abyde suche order, dyreccion, and judgement as shalbe takyn theryn, etc.

[Signed :] Chardley. (*Ibid.*, vol. xvi, No. 183.)

No. LX.

To the kyng our soueraigne lorde.

In most humbill maner compleynyng, sheweth unto your Highnes your most humbill and faithfull subjectes and dayly orators, Edward Gower, knyght, and Margere, hys wyf, late wyf of on John Sentquynten squier,^a decessed, that where as your said orator and his said wyf, in the terme of the Blessyd Trinite, in the xxiiij yere of your most nobill reigne (1532), in your graces Cort before your Justices att Westm', dyd recouer season agaynst on Robart Cunstabill and William Kyngston, knyghtes, gardens [*sic*] of the landes and of the heire of the said John Sentquinten, of the thred part of the manor of Harpham with the appurtenances, and of the thryd parte of c messuages, thre water mylnes, iiij cotages, MMM¹ acars of lande, ccccxl acars of medowe, cccc acars of pasture, M¹ acars of wast grounde, with the appurtenances in Muston, Feueley, and Harpham, Thorneholme, Kylnewyke, Lekynfeld, Compton,^c Kelom,^d Nafforton, Levyn, Eberston, Pykeryng, Ayton, Semer, Burtonfeld,^e Littelbergh,^f Beuerley, Caton, Depdale, Gyrsthorp, Leberston, Newbyggyng,^g Harstrop,^h Beckeley, Low-

^a John St. Quintin, of Harpham, died in 1514. His will has been printed in *Test. Ebor.*, v, 54. His widow, Margery, daughter of Sir Robert Constable, of Flamborough, married, as her second husband, Sir Edward Gower, of Stittenham, and had a family by him.

^b Filey.

^c Probably an error for Scampston.

^d Kelom is now Kilham.

^e In 1566, Bishops Burton, *alias* Burton Fields, is mentioned (*Yorkshire Fines, Tudor*, i, 322). The place is now called Bishop Burton.

^f Little Barugh, in the parish of Kirkby Misperton, 7 miles south-west of Pickering.

^g In the township of Gristhorpe.

^h Haisthorpe.

throp, Denton,^a and Bukton, in thre partes deuyded, as the dower of the said Margere, as of the dotacion and indowment of the said John Sentquinten, her said late husbände, of wiche thryd parte of all the forsad manors, meses, landes, tenementes, and other the premysses, with ther appurtenances, on Sir Nycolas Feirfax knyght, then beyng sheref of the said countie of Yorke,^b by vertu and force of the kynges writte to hym derectyd, dyd put your said orators in possessyon of the forsaid manors, messuages, landes, and other the premysses, so by your said orators recouered as is afforsaid. By forse whereof your said orators where [*sic*] therof peaceably seased in ther demeane as of freholde, and the reuenues and profettes therof comyng and growyng euer sytth, that is to witte by the space of iiij yeres, haue peaceably perceyued and takyn withoute lett or dysturbans of eny person, till now of late, most dred soueraigne lorde, that on William Sentquinten squier, William Portyngton, yoman, Bryan Clarke, yoman, Gerues Bateson, yoman, and William Don, yoman, with dyuerse other riotose persons, unknowen to them, assembelyd in roiatose maner, that is to witte, with bowes and arrois, billis, stauys, and knyuis, the vj day of June last past, at Harpam afforsaid, roiatosely and with forse, of ther extorte power and myght, without eny juste title or cause of right, dyd inter into certen parcelles of the premysses, that is to witte, into on messuage and viij oxgang of land with the appurtenances, sett, beyng, and lyung in Harpam, within the said countie, in the holdyng of one John Draps, and in and to iij messuages and xiiij oxgang of lande with the appurtenances in the holdyng of one John Shrape, John Gregson and John Wederhall, and also of and in iij messuages, xj oxgang of land with the appurtenances, in the tenure of John Chaplen, Rychard Belton, and William Dun, and of and in on waturmelne ther with the appurtenances, in the holding of on Robert Warde, and of and in ij messuages and vj oxgang of lande with the appurtenances in Thrymholme^c in the said countie, in they [*sic*] holdyng of on Thomas Beylby and William Clerkeson, and ther and then upon on William Sauage and Edward Ibson, seruantes to your said orators, roitosely dyd make assaute and put them in greate daunger and joperdy of ther lyffes, contrarie to your graces peace. And moreouer, most gracypouse soueraigne lorde, the forsaid

^a Beckley and Denton have not been identified.

^b Sir Nicholas Fairfax was high sheriff in 23 Henry VIII.

^c Thornholme.

roiatose persons assembelyd to gedders with on Edmond Sentquinten, gentilman, Thomas Pudsay and Richard Beatryce, att Harpam afforsaid, the xij day of the same moneth then next foloyng, roiatosely and with lyke forse dyd eftsones entur into the premysses and ther and then roiatosely dyd make assaute upon on John Normavyle and Rychard Martyngdale, seruantes to your said orators, and them dyd manes and put in greate feare and daunger of theyr lyfes, also contrarie to your said Graces peace. And ferthermore the forsaid roiatose persons with lyke maner force do kepe your said orator frome the possessyon of the premysses, contrarie to your Graces lawes, all right and gud concyens. In tender consyderacon wherof hytt wolde pleace your Highnes to graunte your Graces wryttes of *sup pen'*, to be derectyd to the forsaid roitase persons, mandyng them and euery of them, by vertu of the same, personally to appere before your Highnes in your most honorabill Concell att a certen day and under a certen payne, ther to answare unto the premysses, and farther to stande to and abyde suche order and dereccion, as by youre Highnes and your said most honorabill Councell shalbe thought that may stande with the order of justice, all right, and gud consyens. And your said orators shall dayly praye to Almyghty God for the preservacion of your most gracyouse magesty long to endure. (*Ibid.*, vol. xvi, No. 184.)

No. LXI.

To the kinges highnes.

In hys humble wise complaynyng showithe to your Highnes your Graces obedyent subiect, Thomas Grantham of Saint Katherns, in the countie of the cytie of Lincolne, esquier, that where dame Elizabeth Ascue,^a widowe, was seisid in her demesne as of fee of and in certyn landes and tenementes and other heredytamentes, scituate, lyinge, and beinge in the towne or perishe of Huckle^b in your Graces countie of Yorke, and, so beinge seissid, by her last will and testament, bering date the

^a In Michaelmas Term, 35 Henry VIII (1543), Elizabeth Ascue, widow, was deforciant in a fine about a moiety of the manor of Hooke, and of other property there, which, after her death, remained to Bridgit, wife of Vincent Grantham, and her heirs (*Yorkshire Fines, Tudor*, i, 106). From another fine it appears that Elizabeth's husband was Sir William Ascue, knt. (*Ibid.*, i, 136). From the evidence of these fines it would seem that this document belongs to the time of Edward VI, and not to that of Henry VIII.

^b Hook, on the River Ouse, 2 miles north-east of Goole.

tenthe daie of May, in the secounde yere of your Graces noble reinge (1548), gaue and bequethed the same premysses to on Vincent Grantham esquier, father of your Graces said subiect, disceasside, to have and to holde the premisses to hym the said Vincent, his executors, and assignes, unto thende of xvj yeres then next followinge, fully to be complet and endyde, to the intent that the said Vincent sholde receue the issues and profites therof and the same sholde convert and dispose to thuse and performans of the last will and testament of the said dame Elizabeth, as by the same testament, redy to be showid, it dothe and may appere. And after, that is to saie, about the sixte daie of June, in the said secounde yere of your graces reinge, the said dame Elizabeth died, after whose deathe the said Vincent Grantham entrid into the premisses and the proffyttes therof did perceue and take by the space of two yeres or ther about. And after the said Vincent by his last will and testament, bering date the iiijth daie of Apryll, in the thyrd yere of your Graces noble reinge (1549) made the said Thomas Grantham, his sole executor, and died, by reason wherof the said Thomas Grantham entrid into the premisses, and was therof laufully and quyetly possessid, unto the thirde daie of June last past, at whiche tyme most gracyous souerainge, lorde, on John Dent, Thomas Richardson, Robert Ricnardson, and Thomas Panyerman, with force and weapons, that is to saie, with billes, staves, gleves, bowes, arrowes, and other weapons invasyve and defensyve, arrayed in the sorte of warre, in ryotous maner, entrid into the premisses and the said Thomas Grantham and his seruantes, ther in pease beinge, frome thens forceably did remove, and the same ever sins withe like force haue kept against your Graces lawes and statutes made in that behalf. Wherefore your Graces said subiect moost humble besechithe your Grace to award your highnes wryt of *sub pena* to be dyrectid to the same John Dent, Thomas Richardson, Robert Richardson, and Thomas Panyerman, comaundinge therby them and euery of them personally to appere in your Graces highe court of Sterr chamber at soche daie and under soche payne, as by your Grace shalbe lymytide, and then and ther to make answeere to the premysses, etc.

[Signed :] Riche. (*Ibid.*, vol. xvi, No. 205.)

No. LXII.

To the kyng our sovereigne lorde.

In mooste humble wyse compleynyng, sheweth unto your Highnes your dayly oratryce and poore subiecte, Jenytt Grene of Brystwicke,^a late the wyffe of John Grene,^b dysceased, that where your said poore oratryce aboute ij yeres paste was possessed of and in a certen tenemente or house in Brystwycke aforesayd of [*sic*] one Buckley, gent', for certen yeres yet enduryng and not exspyred, and the profyttes therof peasably to her owne use and behofe perceyued, toke, and had wythe oute interrucion of any person, untyll nowe of late that one William Hambler of Brystwycke aforsayd, beyng a common facer,^c breuer, mayntener, funderer and setter fourthe of all euell and broken matters, a commen quarrell pyker, pease breaker and wonderous sedycyous, and a man by all meanes and wayes given to seke and procure the molestacion, trouble, and dyscease of all quyett and simple people, of his develyshe and malycyous mynde, wythe greate force and armes, accompayned wythe three or foure lyke lewde and euel disposed persons, not onlyke himselue, entred the sayd tenemente and hous, and therof hathe not onely expelled and put oute your sayd poore oratryce from the possessyon of the same tenemente, but also putt and sette one Edwarde Scotte in to the same, who wythe lyke force that hous yet kepeth, and by ye space of thes ij yeres hathe kepte by the unlauffull mayntenance and bearyng of the same Hambler. And, not so contented nor satysfied in this hys outragyous mysdemeanour and of his further malycyous and cruell mynde, wolde haue taken and sett your poore oratryce in the open stockes, in so moche that your sayd poore oratryce, to the entente to avoyde and escape his handes, was gladde priuelye to wythdrawe and hyde her. And then he, perceyuing that she had priuelye escaped his handes, dyd then more sore wythe grevous wo[r]des and othes mynace and threaten her, sayng that when so euer she shuld come in his handes, for that she had so escaped him, he wold sett her upon the common thew^d or pyllarye, and that twoo boyes shuld drawe her aboute the towne, and another shuld caste rotten egges at her, wherof his owne sonne shuld be one.

^a Burstwick, near Hedon.

^b John Grene, of Bristwike, buried at Skeckling, made his will, Sept. 2, 1529, proved Nov. 18 following.

^c A braggart.

^d The *thew* was properly a sort of pillory reserved for women.

All wiche iniuries, hurtes, and wronges commytted unto your sayd oratryce by the said Hambler, your sayd oratryce, beyng partely a very poore wydowe and not able to folowe the suyte in the lawe agaynst the said Hambler, beyng a man more of substaunce and gooddes then goodnes, and partely bycause she hoped to haue founde some frende that wolde intreate the said Ambler to cease his crueltye, did not imedyately after the sayd iniurye make any complente, althoughe she had moost just and good cause to haue compleyned her. But the sayd Hambler, perceyvyng that his euell and mysdemenour hath hetherto nether be punyshed nor yet compleyned of by your sayd poore oratryce, dothe not onely contynew his facyng and braggyng of euell matters, but also somewhat imboulded by the symplycytye and povertye of your poore oratryce, hathe nowe of late, that ys to sey the iij day of Novembre in the xxxvj yere of your reyne (1544), procured and steyled uppe the sayd Edwarde Scotte to commence suyte in your Graces courte of your manor of Brystwycke, concernyng certen landes which your sayd oratryce holdeth of your Grace by good and lauffull conveyance, and hathe bene in quyett possessyon of the same by the space of xl^{ti} yeres with oute any vexacion of any man, untill nowe of late the said Hamble[r], beyng the foreman of the queste of the same courte of Brystwycke, hathe procured the saide Edwarde Scotte to entre in sute as is beforesayd, sayng that he will mayntene him in the same sute or ells it shall cooste him his xvj^{en} oxen, in so moche that your sayd poore oratryce, being a very aged and poore woman, is lyke by reason of the mayntenance and bearyng of the said Hambler, utterly to be undoone for euer, oneles your Highnes extende your most gracyous and bountyfull goodnes and accustomed pytye to her in this behalfe. In consideracion wherof yt may please your Highnes to graunt your gracyouse wryte of *sub pena*, to be dyrected to the said Ambler, commaundyng hym by the same personally to appere before your gracyous counsaill in the Sterre Chamber at Westm' [etc.]. (*Ibid.*, vol. xvi, No. 227.)

No. LXIII.

To the kyng oure soueraigne lorde.

Humbly shewithe unto your maiestie youre dalie oratores and subiectes, John Gresham, esquire, and Fraunces, his wyffe, as for and in the right of his said wyffe, that where your saide

subiecte John Gresham is lawfully by good conveyances in the lawe seased in his owne demeane as of fee as in the right of his saide wyffe of and in the manor of Thornton withe appurtenances in Pykeryng lyght in the countie of Yorke, and your said subiecte and his saide wyffe, so therof beyng seased, haithe alwayes before this tyme peceably possessed the saide manor and euery parte therof, and the rentes, issues [etc.], therof comyng, haithe in lyke maner peceably receyved, according to his and ther lawfull title, witheoute lett of eny person or persones. So it is nowe, most drad soueraigne lorde, that certane riotusse and ildisposed persones, that is to sey, Antony Hunter, Roger Hunter, Cristofer Hunter, Robert Smythe, John Smythe, Thomas Allane otherwyse called Rowlynson, and Gefferey Barghe, assemblyng them selffes withe other suche lyke riotusse and ildisposed persones, to the number of xvj persones and above, to your said orators unknowne, and they, so beyng unlawfully assemblyd together and unlawfully arrayed in maner of warre, withe bowes, billes, arrowes, staffes, clubbes, and other waypens indefenseable, at two severall daies, that is to sey, the xij daie of Maie and the xvj daie of June, in the xxxviiijth yere of your most noble and victorius reigne (1546), into two severall messuages, parcell of the said manor, did unlawfully and most cruelly, forceably, and riotusely enter, agaynst your lawes and peace, and the said messuages did most crewelly breke and witheholde. And the said yldisposed persones, beyng not thus satisfied nor contented in there maliciuse and cruell actes at the said daies and playces afore-said, did riotusely bete and ill entrete one William Thirtilby, servante to Stephane Holford, receyvour of the said manor, than and there beyng in Godes peace and yours, in doying his said maisters businesses, gyffying to them the said riotuse persones none occacion so to doo by wordes, actes, or otherwyse. And further the said wrongfull doweres agaynst your said lawes and peace doithe yett, and many tymes before this haithe given, unto the said Stephen Holford, servant and receyvour of the said manor to your said subiectes, many crewell and seditiuse wordes of threytes, by reason wherof the said Stephen Holford cannot quietly go aboute his said maisteres affayrys according to his office, withe oute helpe and reformation of your Highnes'e and of your right honorable Councell in this behalffe. In consideracion wherof [etc.], writes of *sub pena* to the said Antony Hunter [etc.].

[Signed :] Wm. Dalyson. [Endorsed :] Before the Council in a month from Michaelmas. (*Ibid.*, vol. xvi, No. 281.)

No. LXIV.

To the kynges moste excellent magestie.

In moste humble wyse shewyth your dayly orator, Sir Rychard Gressham, knyght, that where your seid moste excellent magestie by your gracious letters patentes lately gaue to your seid orator, amonge other landes, the scite of the late monastery of Fountayns in the countie of Yorke, the forrest or chace of Gnoup and Darnebroke,^a otherwyse Fountaynes Fellys, the forrest or chace of Lyttondale, and also divers maners, meses, landes [etc.], in the seid countie of Yorke, to the seyde late monastery late perteynyng, to haue and to holde to your seid orator, his heyres and assignes, for ever. By force wherof your seyde orator was peasebly seysyd of and in the premyssez in his demesne as of fee. So it is, moste excellent prince, that, your seid orator, being seysyd of the premyssez in forme aforeseyd, abowte the first day of May last past, that is to wyt, in the xxxvjth yere of your raigne (1544), and dyuers and many tymes syns the same day, one Lancelot Marton of Assheton,^b in the countie aforesaid, gent', John Moon of Gargrave, yoman, Antony Knolle of Arneclyf, yoman, Edmond Lytton of Gargrave, yoman, and Oswald Sylson of Lytton, yoman, being accompanied with divers other riotous persons to your said orator unknowen, to the number of xvj or xxti persons or therabout, being arrayd and furnysshyd with swordes, bucklers, staves, bowes, and arrowes, and other weapons defensyve and invasyve, of theyr malyce prepensyd and riotous intent, with force and armes and in moste riotous maner, contrary to your magesties lawes, of theyr extort power and myght, as men lawles, dredyng nor feryng neyther Goddes lawes ne yete your magesties lawes, dyd not onely riotously and in maner of warre and insurrecion enter into the saide forrest or chace of Gnoup and Darnebroke aforesaid and into the said forrest or chace of Lyttondale, parcell of the premissez, and being the freholde of your said orator by force of your letters patentes aforesaid, but also dyd

^a The pasturage of Gnup and Dernebroc-in-Craven were given to Fountains Abbey by Maude Percy, countess of Warwick, in the latter part of the Twelfth century. Darnbrook is in the parish of Arncliffe-in-Craven, six miles north-east of Settle. The *gnoup* or hill (Norse, *gnúpr*) has long ago disappeared, unless represented by Darnbrook Fell. It is worthy of note that Gnip, near Whitby, had before 1180 been replaced by Hauchesgard, the modern Hawsker (*Whitby Chartulary*, i, 3). The grant of the site of Fountains Abbey, etc., to Sir Richard Gresham, knt., was made on October 1, 32 Henry VIII (1540) (*Fountains Chartulary*, i, 385).

^b Eshton, in the parish of Gargrave.

than and ther hunt the dere of your said orator than and ther being, and xx^{ti} of the dere of your said orator than and ther beyng dyd dryve away from and owte of the said forrestes or chaces unto a certen waste grownd callyd Langstrodale^a owte of the said forrestes or chaces. And the forsaid malefactors, not thys [*sic*] contentyd with theyr forsaid iniuries and riotous offences, of their further prepensyd malice and develisshe myndes, dyvers and many tymes syns the first day of May aforesaid, haue aswell assawted one John Knolle, keper of the said forrestes or chaces under your said subiect, and dyuers other the servantes, officers, fermors, and tenantes of your said orator, as also thretenyd and manasyd theym to bete theym, wounde theym, and sle theym, yf they be any meanes wold withstand or disturbe the said offenders in theyr said riotous doinges or affayres aforesaid. By force wherof not only the said keper and servantes, officers, fermors, and tenantes of your said orator durst not nor yete dare not remayne or abyde at nor uppon the forsaid forrestes or chaces to do theyr dueties to your said orator, but also your said orator cannot peasably haue the said forrests or chaces accordyng to hys sayd ryght and title therin, to his gret losse [etc.]. In consideration wherof [etc.], wryttes of *sub pena* to be directed to the said persons before namyd [etc.].

[Signed :] Robert Broke. (*Ibid.*, vol. xvi, No. 282.)

No. LXV.

To the king our souerayne lorde.

In most humble wise sheweth unto your Highnes your poore orator and daily bedeman, John Gresham, cetezen and mercer of your cetie of London, that wher as your said orator with in the same your cetie of London lately bargaynyd and bought of one Charles Johnson, merchant of Richmond with in your countie of Yorke, xx^{ti} foddres of good northern leade, to be delyvered to your seid orator at your beame^b with in your cytie of Yorke, to thentent that the same leade might be ther indifferently wayed betwixt your seid orator and the seid Johnson, and paying for the waying therof to the said cytie all dewtie as doth appertayn in soche casse ; which said leade

^a Langstrothdale Chase, in the upper part of the River Wharfe.

^b The common beam, the king's beam ; the public standard balance, formerly in the custody of the Grocers' Company, of London ; figuratively an authorised standard (N.E.D., *s.v.*).

was waied at your said beame with in your cytie of Yorke, and owte of the same beam and skalys stryken in to the kyele^a ther, to thentent and purposse to haue ben convaied to your said cytie of London by water, as the veray proper goodes of your said orator and bought within your said cytie of London. And wheras also your said besecher within your said cytie of London bargaynyd and bought of on Raffe Goore,^b merchant of Richmonde, within your countie of Yorke, xxv foddors of northern leade to be delyuered to your said orator at the beame within your said cytie of Yorke, in lyke maner and forme as the other xx^{ti} foddors of lead were, and shuld haue ben delyuered, as by the seuerall bargayns therof made in wryting betwixt the said partyes redy to be shewede forth to the lordes of your most honorable Cownsell, shall and may evidently appere. So it is, most drade soueraign lorde, that your said orator, intending to haue caryed and conuayed all the seid leade to London, and after that he had prepayred all thinges accordingly for the same purpose and entent, to hys gret costes and charges, diuerse persons of your said cytie of Yorke to a gret number, whose namys be unknowen to your seid orator, by the commandement of on Henry Dawson, then being mayer of your said cytie of Yorke,^c and the aldermen and other of your said cytie of Yorke, arrested and toke from your said orator all the forsaid xlv^{ti} foddors of leade, and the same detaynyd and kept from your said orator by a grete season, wherapon your said orator made suete to the mayer of your cytie of London, by cawse he was a free man of the same, and to his brethern, the aldermen, to direct ther loving letter to the said mayer of Yorke and to his brethern in the favor of your said orator fer the delyuery of the sayd leade, whiche letter notwithstanding yet the forsaid mayer, aldermen, and cytezens of Yorke wold in no wisse delyuer the said leade tyll soche tyme as yt plesid your Highnes of your most charytable disposicyon to direct your most gracyous letters in the favor of your said orator and to the seid mayer and aldermen, and by the same your most gracyous letters commandid the said mayer and aldermen to delyuer the said leade to your said orator, which not withstonding the said mayer and aldermen reffuside to make deliuiere, onlesse your seid

^a Keel, a one-masted vessel of burden, still well known on the Ouse and Humber.

^b On May 26, 1540, Ralph Gower had a grant of the site of the Grey Friars of Richmond (*Letters and Papers*, Henry VIII, xv, 556).

^c Henry Dawson was mayor in 13 Henry VIII (1531-2).

orator wolde put in sufficyent suertye within the same cytye to be bonden to the said mayer in the som of clxxxli. sterling, apon suche unreasonable condicion as the said mayer and aldermen, by the advise of their cowncell, had then devisid, the tenor of which condition hereafter ensewith. Condicion of this obligacion is suche that yf the above bonden George Lawson, knight, and Richard Pymond, or euery of them, their executors and assignes, well and truly, withowt eny maner frawde or deceite, content and pay or cawse to be contentid and payd unto the aboue namyd Henry Dawson, his executors or to hys certayn atornay, in the chappell of Saint William of Ousebrige, within the cytye of Yorke, to the use of all the free cytezens and comminaltye of the said cytye, one hundred fower skore powndes of good and lawfull Ingleshe monye, at the feast of Saint Peter the advincola callyd Lammas next to come (Aug. 1) after the date aboue wrytyn, for xlv^{ti} foddres of leade, lately taken and seasyd at the comon beame of the said cytye of the forsaid mayer and comminaltie, as merchand-isis supposyd to be foreyn bought and foreyn solde ther by John Gresham and William Locke of the cytye of London, Raffe Goore and Charles Johnson of Richmonde, in the cowntie of Yorke, being foreyners and strangers of the seid cytie of Yorke, and delyuered unto Thomas Don, seruant and factor of the forsaid John Gresham, being also a foreyner, and at the saide beame, ayenst the kinges graunte and the auncyent lybertyse and usages of the forsaid cytie of Yorke. Immedeatly after that the forsaid bargayn be so provide by the said mayer and comminaltie before the king our soueraigne lorde, or his most honorable Cowncell, or before soche persons, as yt shall plesse his Grace to name and apoynt at his plesure, at any tyme before the said feast of Saynt Peter, providid allwey that yf yt happen no order ne direction to be taken in the premissis before the seid feast of Saynt Peter by the king and his said honorable cownsell, nor by soche other persons as it shall plesse his Grace to assigne and apoynt therfor, than yf the forsaid George Lawson and Richarde Pymond, or ether of them, content and pay or cawse to be contentyd and paid the forsaid clxxxli. to the seid Henry Dawson or to his certayn atornay, at the plase and day of payment aforesaid, and to the use aboue said, that then this present obligacion to be void and to be of none effect, or ells to stond and be of full strenght and vertue. Whereupon your said orator being gretly delayed of the delyuery of hys said leade and to hys no lytle hurt, payn, costes, charge, and expences, was fayn to put in good

suertyse to the said mayer of Yorke to be bonde by ther obligacion in the seid some of clxxx*li*. apou the forsaide unreasonable condicion, or ells your said orator cowlde not haue had hys seid leade delyuerd. Which said obligacion your said orator ys lyke to forfeyte, onles your Highnes, movyd with pytye, of your most blyssyd dysposicon, by the advise of the lordes of your most honorable Cownsell, take some order and dyrection in the premissis. And furthermore, most drad soueraigne lorde, the saide mayer, aldermen, and cytezens of your said cytie of Yorke, not being thus contentid, but now of late wheras your saide orator laft his seruaut at Yorke aforesaide, to thentent to see and provyde for the conveyance of the said leade to London, of their further ongentylnes and oncurteyse mynde, wold not suffer the same leade to be caryed and conveyede thense in eny kyell of the seid cytye, but haue made suche a generall restraynt therin that the seruaut of your said orator, lying at Yorke, to thentent and purpose as ys aforesaide, was fayn to go to Hull and there to make provision for certayn kyells to convey the seid leade from the said cytie of Yorke to Hull, by reason wherof your saide besecher hath not eftsons ben put to extreme costes and charges, but also hath lost moche tyme, for as moche as the spryng was past before hys seruaut cowlde provyde for the said kyelles at Hull afforsaide, to the gret hurt and dammage of your said besecher. In consyderacion wherof yt may plesse your Highnes to direct your most gracyous seuerall commandementes to the saide mayer and Robert Whytfeld, George Galle, John Hodgeson, and John Shawe, aldermen of the same your cytie of Yorke, commanding them and euery of them to appere before the lordes of your most honorable cownsell to answer to the premissis, etc.

At Westminster 21st November.

It is this dae ordred concernyng the matter betwene John Gresham of London, mercer, on the one partie, and the maier and citizens of the cite of Yorke, on the other partie, that the said maier and citizens of the said cite shal on thissyde the feast of the Natiuite of our Lord God next comyng deliuer or cause to be deliueyd unto the same John Gresham, or to his assygne, an obligation wherin George Lawson, knyght, and Richard Pimond do stande bounde unto the same maier and commonaltie of the same cite of Yorke for the paiement of clxxx*li*., as apperith by the same obligation ; and also shal permit and suffre the same John Gresham and his factors, and euery of them, peassably and quietly to carie awaie all such leade as the same John Gresham, or ony of his factors, shall hereafter fortune

to bye in the north parties, and the same to convey and carye thorough or by the precynckt of the same citie of York and the Liberties of the same. And it is further ordred that in case the said maier and citizins of the said citie of Yorke do not deliuer the said obligation by the time aboue limityd, acording as is aboue said, and also do not permitt and suffre the same John Gresham or his factors to carie all suche leade as he hathe, that then the said maier and citizens shal send upp before the king and his Counsaill at Westm' certein persones of the same citie, bringing with them that same obligation, and sufficiently to be auctorysyd and instructid to shew and declare unto the said Counsaill in the beginnyng of the next terme good and sufficient matter, why they owght not of ryght to delyuer the same obligacion. And further to aunsver unto a bill of complaynt, which the same J. Gresham hath now layd in to this Court of Sterryd chambr agenst the same mayer and aldermen and brethern.

[A rough draft.] (*Ibid.*, vol. xvi, Nos. 286, 287.)

No. LXVI.

To the kyng oure souereygn lorde.

In moste humble wyse shewyth and compleynyth unto your Hyghnes your trew and feythffull subgett, Wylliam Grey, that where one Sir William Percy, knyght, was and yet ys lawfully seasyd of and in three measuages, xl^{ti} acrez of lond, foure score acrez of pasture, and xl acrez of meadow with thappurtenances in Rowthe^a in your countie of York, in hys demean as of fee ; and, so thereof beyng seasyd, the same Sir Wylliam Percy, by hys deed indentyd, suffycyent in the law, demysyd all the same premysses to your seid subgett for terme of certen yeres yet induryng, yeldyng therafore yerely duryng the seid terme to the same Sir Wylliam certen rent, mencyonyd in the seid deed indentyd, as by the same deed indentyd, reddy to be shewyd, more playnly dothe appere. By reason whereof your seid subgett entryd in to the premysses and was and yet ys thereof lawfully possessid accordyngly, and the same hathe occupied peasably withoute interupcyon untyll now of late, that ys to sey, aboute the vjth day of October in the xxv^{ti} yere of your moste noble reyn (1534) that one John Rowthe, Robert Hardy, Rycherd Smyth, and Thomas Gray, accum-

^a Routh, near Beverley.

paynyd with dyuers other ryotouse persons, to your seid sub-
 gect unknown, to the nountber of x persons, or thereabout, ryotously arrayed, with swordes and buklers, bylls, bowes, and arrows, and other wepons, ryotously and unlawfully assemblyd theym selffes uppon the premysses, and then and there ryotously with force caryed away twenty wayne lodes of hay, then and there growyng uppon the premysses, and ryotously assautyd your said subgect, and wyll in no wyse suffer your seid subgect peasably to occupye the same, contrary to your peace and laws. And also, moste drede souereygn lorde, the seid John Rowthe, Robert Hardy, Rycherd Smyth, and Thomas Bray, and other the seid ryotouse persons, not therewith contentyd, of theyre funder mallyce, the seid vjth day of October, in the seid xxv^{ti} yere of your moste noble reyn, ryotously with force cut down, fellyd, and caryed away the woodes growyng uppon the premysses, and sold the same woodes at theyre own pleasures, agenst all ryght and to the most peryllous example of all such lyke offenders, yf condyon punyshment by your Hyghnes and your moste honorable Counsell be not provydyd in that behalf. In consyderacyon whereof yt may pleas your Hyghnes, the premysses graciously consyderyd, to graunt seuerall wryttes of *sub pena*, to be dyrect to the seid ryotouse persons, theym and euery of theym commaundyng by the same at a certen day and under a certen payne, by your Hyghnes to be lymtyd, personally to appere before your Hyghnes and your moste honorable Counsell in your Ster' Chamber, etc.

[Endorsed:] Before the king and his council in the octave of Hilary. (*Ibid.*, vol. xvi, 314.)

No. LXVII.

To the kyng our soueraign lord.

Humble complayneth unto your grace your dailie oratour and seruant George Gryffyth,^a knyght, that where as your supplyaunte aforsaid and all other his auncesters, whose heire he is, of tyme wherof no man can remembre the contrarye, hath ben seised by right course of inherytaunce in their demeane as of fee of and in oon comen of wast grounde, called Burton More, lying in the manor of Agnes Burton, yn

^a The will of Sir Walter Griffith, of Burton Agnes, knt., the father of Sir George, was proved on December 17, 1531 (*Test. Ebor.*, v, 287).

the countie of Yorke, as parcell of his manor of Agnes Burton forsaid ; so it is, most graciouse lord, that one William Seyntquyntayne of Harpham in your countie of Yorke, esquier, Edward Portyngton of the same towne and countie, chappelen, William Gro countie yoman, Richard Beatrisse, John Chappelen, John Bowman, John Draper, and John Rowthe of the same towne and countie, yomen, Roberte Marke of Grance[more], yoman, and George Draper of the same towne and countie, yoman, wyth other persons to your said supplyaunte unknowne, to the nombre of xx^{ti} persons arraid, wyth force and armes, that is to saye, wyth bowes, arrowes, billes, and swordes, and beyng harnesed, contrary to your peace, at Harpham aforesaid last past ryotously assembled them selves together, and so beyng ryotously assembled in to the said commen or wast grounde, called Burton More, ryotously and forcybly gosses or fyrses, amountyng unto ij wayne loodes and aboue, uppon the said commen or wast grownde growyng, then and their ryotously did falle contrary to your peace and lawes, to the most peryllous exemple of all other lyke offenders, yf they shuld not haue condygne ponysshement, accordyng unto forsomoche as the said William Seyntquyntayne ys a man of grete possession and a inheritour wythyn the said countie of Yorke, and greatly kynned countie of Yorke. And also dyuers of your Graces Counsell ther stand akyn to the said William Seyntquynteyn, and your said supplyaunte and his auncesters haue lyttle and also hath fewe fryndes or kynnesmen ther. In consideracion wherof yt may pleas your Grace to graunte the kynges seuerall ryyttes of *sub pena* to be Seyntquynteyn and other above named ryotouse persons, commaundyng them by vertue of the same to appere before your Grace, etc. (*Ibid.*, vol. xvi, No. 329.)

No. LXVIII.

To the kyng our souereigne lord.

Humbly shewyth unto your highnes your true and faithful, subiect and liege man William Northrop, that where Henry erle off Northumbreland, was and is seasid of certayn medews and pasture, lieng in the town off Scorburch, in his demean as off fee, as parcell off his inherytance, and your said subiect, beyng baily to the said erle off his landes in Scorburch aforesaid, causid the grasse growyng off the said medews to be mawyn

and made in hey ; and your said subiect, the last day off July the xxj yere of your most noble reign (1529) peseably cam with a cart to the same medews and pasture to haue caried and led away the same hey, and then and there on Thomas Frensshe-
man and Robert Perkykson, seruantes to Sir John Hothom, knyght, by the comaundment off the said Sir John Hothom, ryotesly, arraid in harnes, with great force, made assaute and affray apon the said William Northrop, and hym then and there hurt and sore wounded, to the jeoparddy off his lyffe. And wher for, gracious lord, the premysses considered, it may pleas your highnes to graunt your subiect your gracious lettres off pryue seale, to be dyrectid aswell to the said Sir John Hothom as to the said Thomas Frenssheman and Robert Perkinson, commaundyng them by the same to appere afor your highnes and the lordys off your most honorable Counsell to aunswer, etc. (*Ibid.*, Bundle xvii, No. 1.)

No. LXIX.

To the king our souerain lord.

Humbly besechith your highnes your faithfull and true subget, Miles Willisthorpe esquier, that, where upon compleynt made to your Grace by the saide Myles of diuers gret unlauffull confederacies and many diuers and heynous ryottes committid and doon to your saide subget by Marmaduke, abbot of Fountaynes,^a William Gascoign knyght, Seth Snawsell,^b and many other of their confederatours and assistentes, by their commaundmentis, your saide subget opteyned your gracious lettres of priuey seall, some of theym seuerally directid to the saide abbot and to the said Syr William, and some seuerally to diuers and many other persones of the saide confederatours and riotours, to appere before the lordes of your moost honorable Counsell at certeyn dayes specified in the same, to aunswere to the premysses. So it is, moost gracious souerain lord, that oon Roberte Fisher, housholde seruante to your saide subget, as your officer, souerain lorde, in that behalfe, and by the commaundment of his maister your saide subget, oon Sunday, the xvj day of this present moneth of February,^c

^a Marmaduke Bradley, the last abbot of Fountains, held office from 1537 till the dissolution of the house in 1540

^b Seth Snawsell, of Bilton in the Ainsty, died between May 14, 1537, the date of his will, and June 12 following, when it was proved (*Test. Ebor.*, vi, 62).

^c Sunday fell on Feb. 16 in 1538-9.

deliuerd oone of the saide prevey seales, whiche was directid to Rauf Kirkby, Richard Bynkes, James Leek, housholde seruantes of the saide Syr William, and other of the saide riotours, unto the same Rauf, Richarde, and James, in the parich church of Hamerton, in your countie of Yorke, in the tyme of the parisshe masse there ; and after the receipte therof oon Richard Darley, seruant to the saide Sir William, and the saide Rauf Kirkby and James, by the commaundment of the saide Richard Bynkes, went out of the same church, folowing the saide Roberte Fisser, and without the church there assautid, bette, and sore wounded the same Roberte, the saide Richard Bynkes than holdyng the said church dore close that noon of the parysshons there shuld reskewe the saide Roberte, which was left there for dede and yet unknowyng to your saide subget whether he be dede or not. All which assault and betyng was commyttid and doon for the deliure of the saide prevey seale, and in trust that the doers therof and of suche other lyke shuld be born and susteyned without punyshment by the myght and power of the saide abbot, the said Sir William, and other of their adherentes, without cost and charge of the saide offenders, whom the said Sir William hath sith that tyme assistid in his company, which is to the moost peralous example of all other that shall haue cause to sue to your highnes for any prevey seallis in lyke case. And also your saide subget, ne any of his frendes or seruauntes, dare not for fere of ieoperdy of their lyves deliuer or cause to be deliuered any of the said other privey sealles, directid to other of the said riotours and confederatours of the saide disobesaunce and unlawfull demeanyng for the deliure of the saide privey seall to the saide Kirkby and other, if the same Kirkby and other rest and remayn thus unpunyshid for their saide offence. And ouer this the saide abbot, Sir William, and diuers other of their confederatours and assistentes, hauyng knowlege that the saide Myles hath suyd to your Highnes for privey seales ayenst theym for the saide confederacies and other riottes by theym and their commaundment and assistance committid, haue suyd out ayenst the same Miles diuers *nisi prius* and diuers assissis, intending therby of their pure malice that they haue to hym by cause of his saide complayntes to your highnes by meane of the saide sutes, by their myght and poure and unlauffull assistance and mayntenaunce of their adherentes, to condempne your said subgett in great somes, and theirby so to empouerysh hym that he shall eyther be fayn to doo as they list and to leue his saide suyt to your highnes for his remedy in the premisses, or ells that he

shall be soo weried by the said suytes that he shall not be hable to sue to your highnes for his remedy in the premysses. In consideration wherof it may please your highnes, of your moost habundaunt grace, to directe as well your gracioux lettres of privey seall to the saide Sir William, commaunding hym by the same that he, hauyng with hym the saide Richard Darley, Rauf Kirkby, Richard Bynkes, and Jamys Leyk, his seruauntes, to appere personally before your highnes and the lordes of your moost honorable Counsell, at a certeyn day and upon a payn therin to be lemyttid, to aunswere to the premysses, as to directe your gracioux lettres missives to the said abbot, Sir William, and to the priorisse of Monkton, and to other whiche by the commaundment and at the costes and charge of the saide abbot and Sir William, and by their mayntenaunce, haue takyn the said writtes of *nisi prius* and assissis ayenst your said subget, commaundyng theym by the same that, in consideration that their sutes are takyn at this tyme onely by ther myght to oppresse and subdue your said subget of malice for his saide suyt to your highnes in the premysses, that they, ne any of theym, procede in their seide sutes at the next assissis in thos parties, but to spare their saide sutes till hereafter that the hole mater of the saide riottes and confederacies be determyned, after which determynacion the saide parties shal not be excluded of their lafull remedy ayenst the saide Miles, if ther be any suche cause so to haue. And your saide subget shall dayly pray, etc. (*Ibid.*, Bundle xvii, No. 8.)

No. LXX.

To the kyng our soueraigne lorde.

Humbly sheweth and complayneth unto your most excellent highnes your true faithfull subyect and daily orator, Launcelot Colynson,^a clerke, trezorer of the cathedrall church of Seynt Peter of Yorke, in the countie of Yorke, and prebendary of the church of Shirborne in Elmet in the seid countie of Yorke, that where your seid orator, as in the right of the seid cathedrall church, is seased in his demeane as of fee of and in the seid prebend and the tithez and other yerely profettes to the same belongyng, which he and his predecessorz, tyme oute of mynde, have taken and receyved to their owen proper usez without

^a Lancelot Collynson was collated to the treasurership in York Minster in May, 1514, and installed in person Nov. 15 following. He died on April 8, 1538, and was buried in York Minster (Drake's *Eboracum*, p. 499).

any lett or interrupcion of any person or persons unto the xxiiij day of August last past, most gracious soueraigne lorde, that [*sic*] one John Hall, clerke, William Skynner, clerk, John Swanson, and John Thomson, and other riottous [*sic*], to your seid orator unknowen, riottously assembled and gathered themselfe together at the towne of Shirborne in the seid countie, having swerdes, billes, staves, and pycheforkes, and other unlawfull weapons, and then and there in a certen comen felde, called Shirborne felde, riottously, with force of armys, toke vj loodes of whete, iij loodes barlye, and two loodes payse, being parcell of the seid tithes of your seid orator, belonging to hym in the right of his seid prebend, and then and there the seid John Hall and the aboue namyd riottous persons assauted one Richard Colynson, seruant to your seid orator, which came to leide and take away the premyssez to thuse of your seid orator, and hym put in grett feire and perill of his lyfe, and in no wyse wold permytte and suffer the seid Richard to have and take the premyssez, but the seid riottous persons the premyssez riottously in maner and forme aboue seid toke and caried away, contrary [*sic*] your pease and lawes, soueraigne lorde, and to the most worst example that hath ben in those parties seen. In consideracion wherof myght it please your excellent highnes of your most abundant grace, the premyssez tenderly considerit, to graunte seuerall wryttes of *sup pena* to be directyd unto the said John Hall [etc.] personally to appere before your highnes [etc.]

The answer of John Hall, clerk, and John Swaynson is appended, saying that the bill is only feigned for vexation ; and, as for the assault, they were never guilty thereof, and all the matters specified are determinable by the common laws. (*Ibid.*, Bundle xvii, No. 13.)

No. LXXI.^a

The aunswere of Wylliam Shutt to the byll of complaynt of Frauncys Meryng esquier.^b

The said defendaunt saythe that as to ony unlawfull assembl, ryotte, force, and armes, threatenynge, manasyng, or ony other trespas supposyd to be doone by the said defendaunt agaynst the kyng oure soueraigne lordes peace, that he is therof

^a Bill missing.

^b Probably a younger son of John Mering, of Mering, in the parish of Langford, near Newark, whose will was proved in 1543 (*Test. Ebor.*, vi, 137). See No. lxxv.

not gylty, and that the resydue of the matteres mencyonyd in the sayd byll, if they were true, as they be not in dede, be matteres determynable at the Common Lawe, and not in this honorable court, wherunto he prayth to be remytted. Nevertheless, thadvantage therof to him savyd, if he shalbe compellyd by thordre of this honorable court to make ony further aunswer, then for aunswer he saythe that the kyng, our sayd soueraygne lorde, the sayd xth daye of Apryll in the sayd byll specefyed, was and yett is lawefully seasyd in hys demeane as of fee of and in the sayd manor of Ylkeley, and the sayd more callyd Ylkeley more, as parcell of the sayd manor, and that all the tenauntes and fermors of the sayd manor tyme out of mynde of man have usyd to have common of pasture for their cattall and shepe in the sayd more. And for as myche as the sayd defendaunt, the sayd xth day of Apryll, was, and yett is tenaunt for terme of yeres of and in one mesuage, certen lande, medowe, and pasture, therto adjoynyng, lying in Ylkeley aforesayd, the revercyon therof then and yett beyng in our sayde soveraigne lorde the kyng in fee symple, the sayd defendaunt therefore putt his cattall in to the said more ther to depasture and fede accordyng to the sayd custome, as other tenaunts and fermors of the sayd manor heretofore have doone, as lawfull was for hym to doo, without that that the sayd defendaunt dygged ony close rounde about in Ylkeley more aforesayd, or compasyd the same with a great dyche in manere and forme as in the sayd byll untruly is surmysed, or that the sayd defendaunt doythe kepe oute the sayd complaynant and his tenauntes of the sayd parcell of grounde callyd Ylkeley more, or that the sayd complaynant was ever seasyd of the sayd manor of Ylkeley, or of the sayd more, in his demeane as of fee, or tooke ony issues and profettes therof to the knowelyge, of the sayd defendaunt, but onely as a freeholder and a commoner within the said manor.

[Signed.] Carus. (*Ibid.*, Bundle xvii, No. 63.)

No. LXXII.

In mooste humble wyse shewyth and complaynyth unto your mooste exelent maiestie your daily oratour and faithfull subiect, Cristofer Metcalfe esquyer,^a that where as your

^a Eldest son and heir of Sir James Metcalfe, of Nappa, knt. (died 1539), and Margaret, daughter and coheir of Thomas Pigot, of Clotherholme, near Ripon. Christopher Metcalfe, born in 1513, knighted Sept. 23, 1545, died

seid oratour was possessed of a great stonde horsse, three geldynges, xj kene, and a bulle, to the value of xxv *li.* and aboue, one Luke Metcalffe, of Bedalle, in the countie of Yorke, imagenynge howe and by what meane he myght falsely optayne and gett from your seid oratour the seid goodes, came to one John Sulyard, one of the attorneys of the Comyn Place, and consultancyd with hym and other by what meane he myght brynge his seid purpose to effect, wherupon the seid Luke Metcalfe, Sulyard, and other, whoes names your said oratour knowith not, falsely and untrewly forged, contrived, and maide one wrytte of *fieri facias*, and derectyd the sayme to the schereffe of Yorkeshere, commaundyng hym by the sayme to make leve of x *li.* of the goodes and cattells of your seid oratour, which^a as they surmysed one recoueryd in your Graces court at Westminster before your Justices of your Comyn Place shulde recouer ayemst Sir James Metcalffe knight, father of your seid oratour, where in deade there is, nor neuer was, any suche recorde agaynst Sir James in the seid courte, nor yet any other of your Graces courttes. Whiche wrytte, so by theyme falsely forged and contrived, the seid Luke Metcalffe delyuered to your seid Graces scheryffe of Yorkeshere, callyd Sir William Farfax,^b whiche said scheryffe sende his precept to the bayle of the Liberties of Richmonde, within your seid countie of Yorke, which seid baylyffe, by the procurament of the seid Luke, seasyd the foreseid goodes. After, the seid Luke, baylyffe, and other seruandes of my lorde Scroppe, solde the seid goodes for the some of sex pounce, whiche was worthe xxv *li.*, as is aforeseid. And so by the meanes of the forseid forged wrytte of *fieri facias* your seid faithfull subiect is spoyled fro the premysse. In consideracion wherof it myght please your seid exelent maiestie to graunte firthe your gracyous wryttes of *suppena*, to be derectyd to the seid Late [*sic*] Metcalffe and John Sulyard, by the sayme comaundyng theym and euery of theym personally to appere before your honorable Cownsell in your honorable courte of your Starre Chamber, to aunswere, etc.

Appended is the answer of Luke Metcalf.

He says the bill is craftily imagined to vex the defendant, and also insufficient in law because the complainant does not

1574, married Elizabeth, third daughter of Henry Clifford, first Earl of Cumberland. An abstract of the above proceedings has been printed in *Metcalf Records*, 79.

^a The sense is obscure here.

^b Sheriff in 1539.

say he was possessed of the goods specified in the said bill as of his own proper goods and chattell. For answer he saith that the said John Sulyard has been attorney for Thomas Thompson, clerk, against Sir James Metcalf knight in an action of debt for 10 *li.* in the Common Pleas ever since 24 Henry VIII (1532-3), which action he sued to the exigent^a in London, and proclamation directed to the sheriff of the county of York ; upon which exigent, James Fox, attorney for the said Sir James, did sue out a *supersedeas* in discharging the "utlarie" in the said action, by virtue whereof the said Sir James was by law bound to make answer by his said attorney, who made answer that he was not sufficiently instructed. Thereupon at last judgement was given to the knowledge of the said Luke, according to the law Sulyard sued out of the court of Common Pleas a *feri facias* against the said Sir James, directed to the sheriff of York, in Michaelmas Term in the 29th year of the king our sovereign lord that now is (1537). This was never executed. Since that time Sir James Metcalf has died. After his death one Stephen Tennant, clerk, did speak with the said Christopher and one Oswald Metcalfe, two executors of the said Sir James, for payment of the 10 *li.* They replied they could make no direct answer, because all the executors were not together. There upon Tennant repaired to the said Sulyard to have process upon the said action against the said executors. Sulyard said he doubted whether he could get the *feri facias* returned, but would do his best, and so made two *scire facias*, and upon them a *feri facias* against the said executors, as appears by his bill, which the said Sir Stephen paid ; and he desired the said Luke to carry the said *feri facias* into the country, which he did, and there went to enquire for one Maunsell, clerk of the castle of York, to have a warrant of the said writ to the bailiff of the Liberties of Richmond, and one John Boyce, servant to the said Maunsell, made a warrant accordingly, directed to John, Lord Scrope, hedesteward and bailiff of the king's Liberties of Richmond and Richmondshire. Lord Scrope caused the warrant to be served, and made a return thereof to the sheriff of the county of York, which was all that the said Luke did in the premises.

John Selyard (*sic*) answers to the same effect. He describes James Metcalfe as late of Nappay, co. York, esquire.

^a *Exigent* is a writ that lieth where the defendant in an action personal cannot be found, nor anything within the county whereby he may be attached or distrained ; and is directed to the sheriff, to proclaim and call five County days one after another, charging him to appear under pain of outlawry (Cowell's *Interpreter*).

Depositions of John Subiarde (*sic*) of Clifordes Inne, gent., sworn on behalf of the complainant, 8 July, 33 [Henry VIII] (1541).

Amongst other things he says that he received no reward for the sueing forth of the writ, but only the ordinary fee which amounted to 8s. George Rolles was another person engaged in the legal proceedings.

Depositions of Luke Metcalfe, of Bedale, co. Yorkshire gent.

He describes Tennant as chaplain to Lord Cobham. Cuthbert Medcalf and this deponent were privy to the sueing forth of the process. (*Ibid.*, Bundle xvii, No. 102.)

No. LXXIII.

Thanswer of Thomas Myddelton, esquier,^a to the bill of articles surmysed ageynst hym.

He sayth that the sayde artycle and euery thyng therin conteyned is untrue, and exhibited ageynst hym of malyce by the meanes of the sayed William Fayerfax, to the only entent to slaunder the sayed Thomas and to bryng hym in dyspleasure of the kynges most honorable Counsell. The priour of Helawyghe Parke, in the countie of the citie of Yorke, in Ester terme last past, had iugement to recouer certayne landes and tenementes in Lytell Rybstone and Plumtone by a writte of entre in the *per* and *cui* ageynst George Fullebarne, and upon the same iugement served a *habere facias seisinam*, dyrected to the sayed William Fayerfax^b then and yet beyng sheref of the sayed countie of Yorke, by force wherof the sayed sherif dyrected his precept to the sayed Thomas Myddelton, beyng baylye of Spofford to my lorde of Northumbreland, to put the sayed priour in possession, accordyng to the tenour of the sayed recuerye; and the pryour entred into the sayed landes accordingly, and therof was in peaceable possession. And, so beyng in possession, it was informed the sayed Thomas that dyuerse ryotous persons to the nombre of fourthene, entendyng to make the sayed iugement and execution voyde, came unto Lytell Rybston aforesayed, and brake the doores and walles of oon tenement,

^a Eldest son of Sir William Middleton, of Stockeld. He died in his father's lifetime. His will was proved Jan. 3, 1549-50 (*Test. Ebor.*, vi, 278).

^b Sheriff in 1539.

parcell of the premysses so recuered, wherof the sayed priour was put in possession, whiche sayed riotous persons with force and armys riotously tooke certayne persons beyng in the sayed house, and caryed them awaye by myght and violence ageynst the kynges lawes. And for so moche as the sayed Thomas knewe not what persons they were that made the sayd forcyble entre, wherupon common speche rose, som then sayed they were the sherifes seruantes, and som sayed they were other persons, wherfor the sayed Thomas, to have the trewe knowlege therof, went to the sayed William Fayerfax at his dwellyng house of Steton, in a gentyll facyon, beyng nyghe kynnysman to the wif of the sayed William Fayerfax,^a and shewed to hym of the sayed riottes, brekyng, entre, and pullyng downe of the walles of the sayed house, and he sayed yt was by his commaundement, withowte that that the sayed Thomas querelled or frastened^b wyth the sayed William Fayerfax, or sayed any euyll wordes or other wordes other then is conteyned in this answer in maner and forme, as in the sayed byll slanderously and untruly is alleged; and withowte that that any other thyng materiall in the sayed byll conteyned and in this answer not confessed, trauersed or denyed, is true. All whiche matters the sayed Thomas is redy to prove as this honorable courte shall award. (*Ibid.*, Bundle xvii, No. 121.)

No. LXXIV.

To the kyng owre souerayn lord.

In most humble wise schewith unto your most nobull Grace your poure chaplen and dayly orator, Symond Robinson, clerk, person off Moremonkton,^c within the countie of your citte of

^a Sir William Fairfax, of Steeton, married Isabel, daughter of Thomas Thwaites, of Denton by Emota, daughter and heiress of Nicholas Middleton.

^b Not in the *N.E.D.* or the *E.D.D.* Probably a form of *fratch*, *i.e.* to scold.

^c On Jan. 12, 1522-3, Simon Robynson, priest, rector of More-Monkton, made an exchange with Master William Burgh, "decretorum doctor," vicar of Doncaster. Henry VIII was patron of Moor Monkton and the abbey of St. Mary's, York, of Doncaster (*Reg. Wolsey*, fo. 68). The following is an abstract of his will: Nov. 7, 1528. Simon Robynson, vicar of Doncastre. My bodie to be beried in the hie where of Sancte George at Doncastre. And if I departe at this tyme I will my lord deyne and maister Chapman take xxijs., and lett my executours be discharged withoute any further troble. Item the daye of my beriall a principall dirige with the suffragies and euery preist xij*d*. Item Agnes Robynson a ridyng gowne and the grete bede in the hie chamer with all that belongs to hit. Item to Mastres Mydleton my scarlet gowne and the best bed next that she will take with all that perteyneth therto.

Yorke, where hitt was so that the iijde yere of your most nobull reyne (1511-2), hitt lyked your grace, of your most habuondaunt goodnes and pure charite, to present your besecher above named to the parsonage and paryschurche off Moremonkton afforeseid, and so, by the reason of your most graciouse lettres of presentacion, youre seid oratour was lawfully and pesably institute and inducte, and after that kept residens and hospitalitie in his benefice, intendyng to discharge his concience and trewly to praye to Almyghty God for your most nobull astate long to endure. Neuerthelesse on Guy Willestrope, esquier, avisedly and maliciously disposed, by myghty mayntenaunce and yvyll counsell of evyll disposed people lyke to hym selfe, his servantes, tenants, and adherentes, dayly and yeerly devowres and distroyers [*sic*] corne, haye and grasse teyndyng,^a and all thynges that your seid oratour shuld lyve uppon, as here after doth appere; that is to saye, the forseid Guy in the last end of harvest and of haye tyeme, when tythe corne and tythe haye is left in the feld and in the medowys, or euer your seid oratour can gett hitt caried, the forseide Guy and his tenants distroyes hytt with theyr bestes and horses, and the seid Guy and hys tenants destroyes all the stubbull pasturs of all the glebe land, the second cropp, and after grasse of all the glebe medowe, that apperteyneth and belongyth to your seid oratours benefice, and the seid Guy wyll not suffer your saide oratour to haue common within his lordshipe, butt in defraude hys father, Milles Willestrope, and he dydd caste doune the town of Willistrop, destroyed the corne felde, and made pasturs of theym, and hath closed in the commen and made a parke of hytt. And ouer and aboue thes forseid Guy and his tenants heyr^b and kepys grete pasturs

Item to William Adame my violett furred gowne. Item to Roger Robynson xs. to fynd hym to the scole, and it to be paid as he haith nede upon it. Item to Peter Mydleton the hoole bible if he will continue the scole and do well, or els not. Item, furthermore, for oure indentours makyng the said William Adam and I ar boundon to other, that couenantes shalbe kepte, in xl li., that is to saye, the aforsaid William Adam haith promised to Agnes Robynson especiall writyng of xls. land by yere for the terme of his lyve. Item to Elisabeth Hill the fedder bed that I lye upon and the maides bed with all that belonge therto. The residue of my goodes, my dettes paid, and thinges discharged, I wilbe at the disposicion, for thealth of my sall and all Cristen salles, and all the salles that I am bound to pray for, equally of Sir William Palmar, preist, and William Adam. Thies beyng wittenes, Richard Marshall, maior of Doncastre, Maister John Wirrall, Maister Hugh Wirrall, Sir John Drinkeale, preist, and Maister Thomas Elles, with many other moo. Dec. 1, 1528. Proved by William Adam, the other executor renouncing (*Reg. Wolsey*, fo. 163).

^a *cf.* Scotch *teinds*.

^b *i.e.* hires.

both seuerall and commen within your seid oratours parisshe, and fedes nete and schepe, and bredes nete and schep, and gittes haye uppon the seid grounde within your seid oratours parisshe, and thei wyll nother paye tythe lambe nor tythe wolfe, calfe, haye, nor tythe for the pasture, and so thei lyve as yett as hitt wer men that neyther dred God or hys lawes, to the gret perell off theire owne sowles, and to a cursed ensample to all Cristen peple, and all for by cause that your seid oratour kepys hys benifice hym selfe, and will not lett thaym have hys benifice in ferme for lyttyll or nowght, and therefore doth the seid malefactours vex, troubull, and thret your seid oratour, and thei sey that they shall make hym ill rest in that countre, and make hym gladd to forsake his benifice. And for the perfourmaunce and expedicion of their cursed purpose, the forseid Guy mayntened and procured one Josep Ughtred, esquier, to bete your seid oratour, by reson wherof the forseid Josep, intendyng to perfourme and fullfill his cursed mynd the vj yere of your most nobull reygne in the fest of the Blessed Appostels Phillip and Jamys (May 1, 1514), prepared hym selfe and his company to come to the parische church of Moremonkton, and then and ther the forseid Joseph fownd your forseid oratour doying hys devyne service, that is to saye, at Midd Matens of the daye, and then the forsaid Joseph, as a man tempid with the dyvyll, nott dreddyng God nor the ponysshment of your lawes, souerayne lord, furiously and riotously, with cursed wordes, entred into the quere and vyolently bend his fyste and strake your said oratour uppon the bare hedd so sore a stroke, that he fellyd your seid oratour to the ground, and then the seid Joseph ran to the quere dore for a stafe to haue slayn your said oratour withall; and, yff good riddaunce of other people had nott beyn, the forsaid Joseph had slayn your said oratour in hys owne quere, and so your seid oratour was dreven owte of hys owne quere. And, that done, the forseid Joseph sett hym self in the quere in the parsons place, and called to hym parte of hys children, and so fyllyd up that syed of the quere, and fourth with commaunded hys wyef and the resedew of hys childer, both sonnes and doughters, to sit on the other syed of the quere, and browght a grett multitude off dogges, both grewhondis and ratches,^a and other smale wormys and with thiem fullfyllid and defoyled all the hole quere, and so by the mayntenaunce abovesaid contynewes styll. And

^a A hunting-dog which pursues its prey by scent (N.E.D., *s.v.* *Rache*).

yet the forseid company, not thus saciate, butt intendyng to do yvyll uppon ivyll, after that the seid Joseph with a cursed company of tenantes, ther servantes and adherauntes, to the nomber of xvj persons and above, the xxiiij daye of Maye the seid vj yere, in riotus maner, come in to the churche yerde of Moremonkton afforseid, and then and their the fore-said Joseph and hys yll disposed company toke suche tymber as yowre seid oratour had prepared and ordenyd for the buyldyng of his personage, and cutt hitt in peces, and caried v or vj lodes off the seid tymber home to the said Josephs howse, and brynd hytt. And yett the forseid Guy, not thus saciate, bot styll contenyng in hys males, in harvest next foloyng, that is to say the vjth yere of yowre most nobull reygne (1514), the forsaid Guy and my lady, hys mother, commaunded on man, called John Hunter,^a at that tyeme bayly of their husbondry, to assemble and congregate together hys company, their tenauntes, and adherauntes, and cawsed them to go into the felde off Moremonkton with their waynes yoked, and by myghty power, oppression, and extorcion, caried away on hallf of all your saied oratours tythe, that is to saye, halfe the tithe whete, di' the tithe rye, di' the tithe barly, di' the tithe ottes, di' the tithe peese, and in this maner toke thei the tithe corne, the on halfe in euery feild thorough owte the hole parysshe, and caried hitt to Wylstrobe to the afforesaid Guyes and my lady hys mothers hows, and thei spent yowre seid oratours corne, and frome that tyeme unto this daye wold thei never content ne paye your seid orator for no parte of the forseid corne, but mayntened their servantes

^a 1523. John Huntter [of Tokwith], seike of body. To be beriede in my parishe church yerde of Bilton afore the croce. To the vpholddyng of the lampe leight vs., and it to beorderide by the myndes of the church warddeyns. To the pavyng of the towne gaite of Tokwith iijs. iiijd., and the touneship be so disposide; and if not, I will it be disposide by the one of the church warddyns for thelthe of my saull. To Miles, my sone, ouer all his childe porcion, my irne bounde wayne with al my yrne stuff belongyng therto, withe yokes and temes. To the behove of Milis, my sone, and my wif, a blake ox and a branddid, and ij stottes, a branddith and a broune; and I will that this be not putt away, bot after her to remayne to my sone. To Milis, my sone, my jake, my sallatt, my swerde, my bukler, my splentes, my horse, my bridill, and my sadill, at his owne election. To Robert, my sone, as muche stuf as will make hyme a wayne and a ploughe; also a yoke of stottes. To Roger Mud and to John Hogeson of Bekerton, other of them, a whye, and Roger to chese. To Milis, my sone, a brase pott. To the amending of our parishe churche funte coueryng ij*d*. Elisabeth, my wife, and Milis, my sone, executors. The residue to Elisabeth, my wif, and my childer. Writtyn at Tokwith. Thes wittenesses; Sir Gregory Percy, vicar, Thomas Clerke, Richard Stanburne, John Garbott, and other. Sept. 5, 1523. Proved by the executors (*Reg. Test.*, ix, 268).

to face, brace,^a and thrett yowre seid orator, and seid that thei schuld make hym have yll rest in that countre, butt yff your seid oratour wold lett thaim haue hys benefice to ferme for lyttill or nowght; and yett the forseid Guye and Joseph, still contynuyng in their malice, after that commaunded and caused their servantes to take lxxvj shepe frome your seid oratour, that is to saye, owte of a pasture called Abbott More, and cawsed the said schepe to be brought to Wylstrop to the foreseid Guyes house, and putt the said shepe in pounce, and kepte the shepe ther ij dayes without mete, and after that caused the said shepe to be taken owte of the seid pound, and caused their servantes to drive the seid shepe to Moremonkton affor-seid, and their putt theim in pounce, and kept theim styll in pounce by the space of vj wekes and more, and wold not delyuer the seid shepe owte off the pounce nother for sewrty, nor by replevyn, nor other wyese; butt when the schreffes of Yorke sent their officers with replevyns to delyuer the foreseid shepe, then the forseid Joseph and his adherentes come with bowes, arrowes, bylles, and clubbes, and bett the forsaid officers frome the pounce, and chased them owt of the towne ryotously. And in the meane tyeme xxxti of the said schepe wer pyned to deth, and the residew of the said schepe wer so sore pyned that thai neuer come to profite. And in the mean tyeme the foreseyd malefactours caused yowre seid oratour to spend x marces and more money for the recouery of the said shepe, and att the last your seid oratour lost both his schepe and hys money, and neuer could have good justice nor ryght for hys losse and harmes in that behalfe. And, all this nott with standyng, the fore said Guye has gotten Syr Antony Ughtred, knyght, to favour, maynteyn, and bere hym in hys extorcion, and thei haue keped dyverse cowrtes in the lordeschip of Schayelthorp^b in the seid parishe of Moremonkton, and cawsed all the tenantes and parisshyns of the same to assemble at the same court in the terme of Ester last passed, and then and ther gave in commaundment straitly to the same tenantes and parisshens that thei, ne any of theim, schuld in ony wyese accompany with your seid chaplen, their curatt, nor bye nor sell, nor eett nor drynke, nor do eny labor or werk for your seid chaplen, nethyr in ledyng of corne, nor plewyng, nor sawyng, nor erne no money

^a To bluster. See N.E.D., s.v. Brace, where the following passage, from Latimer's *Sermon before Edward VI* (Arber's edition), p. 152, is quoted:—Men would face it and brace it and make a shewe of vpryght dealinge, when they be most gyltye.

^b Now Scagglethorpe.

of your seid chapeleyn, uppon peyne [of] losyng their fermeholdes, landes, and tenementes, to the utter undoyng as well of the said tenantes as of your seyde chapelleyne, to the grett perell of their owne saulis and to the cursid ensample of all your subgettes. And ouer that hath wrongfully amerced your seid orator in unresonabull sommys of money withowte eny cause resonable, and one tyeme thei amerced your seid orator in xs. for cause your seid oratours swyen lay in a thorne busshe a pon the common moore within hys owne parishe, wher hys cattell oughte to goo of ryght, and for the unlawful amerciament sent their servantes into your seid oratours pasture, and ther tooke ii kyen, and putt them in pound, and pyned them; and soo for safe garde of the seyde cattell, your sayd orator dyd sew for replevis for delyuere of hys cattell. And for so moche as yowre seid chapeleyn coud nott gett no councell, nor lernyd man as durst be a councell with hym at Yorke, nor coud haue no trew justice their, be the reason wherof the foresaid malefactors hath dreffen your said chapeleyn to sew the common law with thaim at Westmynster to the utter undoyng of yowre seid chapeleyn, for so mych as ther dare no man off this contre passe off no qwest and gyf trew verdett betwyxte your forsayd chapeleyn and the foresaid malefactors. And in contynuaunce of their evyll dedes the forseid malefactours hath mayntened their tenantes that dwells in Monkton att this somer season, and all this last hervest, dayly and nyghtly, with their bestes, horse, schepe, and swyen hath consumed, wasted, and destroyed both the corne and grasse as well in the meedes as in the feldes in euery place that longes to Mooremonkton. And ofte and many tyemes your sayd chapplen and hys servantes hath fownden and taken the foresaid adversaries said shepe, swyen, and horses in his corne and haye, caused the said catell to be brought in to the towne to the tenantes and awners of the said catell, and required thaim to kepe thaim, that thai do no more harme; and thai, trystyng off the foresayd mayntenaunce, toke no regarde to the foresaid warnyng, nor had no pitte to dystroye the foresaid corne ne haye, bot leyt their cattell go streyght into ytt agayne. And oft tyemes yowre forseyd chapeleyn and his servantes hath fownd the foresaid cattell in hys corne and haye, as ys abufe sayed, and caused his servantes to take thaim forth of the corne, and putt thaim in pound, and then the forseyd Joseph, be the mayntenaunce abuf named, hathe procured one of his servantes, called Robert, to cum to the pound with one grett axe in hys honde, and be strenth

of theyr mayntenaunce didde brek the pounce all to pecis, and tooke forthe the forsayed horse and neett, and sayed he was commaunded so to do, as ofte as the foresayed parsons servantes sett any ther. And so the said malefactors, with facyng, brasing, and thretyng your said chaplen, continewis styll in their malice and puttes your sayd chaplen in such fere and dreid of hys lyef and distruccion of hys guddes, that your sayd chappelen ys dreffen from hys benefice tyll his utter undoyng, lesse your Grace be more piteouse to hym in his behalfe. In consideracion wherof hytt may please your Grace, the premisses tenderly considerid, to grant to your said chappeleyn your gracios lettres of prive seale to be directed as well to the said Guy as to the said Joseph, commaundyng theym and euery of them be the same to appere affore your Grace and affore your moost honorable Councell in the Ster Chaumber at Westm' [etc.].

[Endorsed with an order for the defendants to be summoned to appear in the Quinzaine of Hilary next to come, giving security, etc.] (*Ibid.*, Bundle xvii, No. 131.)

No. LXXV.

To the kyng our souereign lord.

In his most humble and lamentable wyse shewith and complaynyth to your most high and excellent maiestie your poer suppliaunt and faithfull subiect, Frauncys Meryng esquier, that where as your seid subiect by juste tytle and lawfull conveyans is seased in his demean as of fee of and in the manor of Ylkeley in the countie of York, and of dyuers landes, tenementes, and heredytaments with their appurtenances in Ylkeley aforseid; and, so being yerof seased, by hym selff and his tenauntes haith peacyably and quyettly takyn thissuez, revenue, and profyttes yerof commyng and grovyng by the space of twentie yerez last past, without lett, vexacion, disturbans, enterupcion, clame, or demand of eny persone or persons of the premyssez, unto the tenth day of Apryll last past, that John Whythed, Robert Whythed of Wheytley, yomen, William Shefeld, Jams Shefeld, Thomas Shefyld, Cristofer Shefeld of Ylkeley, aforseid, husbondmen, William Shutt of Ylkeley, clerke, Robert Wylson of the same, laborer, Jams Appleyerd, and Robert Wylson of Denton, laboreres, and John Kendall of Myddleton in the countie aforesaid, laborer, unlawfully assemblyng and geythering to theme dyueres other light,

lude, and noughtie persons, to the noumber of twentie at the lest, with force and armez, that is to say, with bawez, arrawez, staves, and other wepons defensyve, dyd unlawfully and ryotously assemble theme selffes together at Ylkeley aforeseid and with the seid force, ryotously, unlawfully, entred into a parcell of ground of your seid subiectes, called Ylkley More, lying in Ylkeley aforeseid, conteynyng by estymacion — acres of pasture, and nott oonly with greatt violens and spytefullnez putt their catell into the seid More, tradd down and eatt upp the grasse of your seid subiect then their grovyng, butt also, of very rancor and malys, of their devilyssh mynde, dyged the seid close rownd abowtt and compassed it with a greatt dyche to thentent more safyly to kepe the seid Francys your poer subiect frome thoccupacon of the premyssez. And the seid lude persones, nott thus contentyd with their seid ryottes and unlawfull assemblez, the xijth day of Apryll next ensuyng after the seid tenth day, they in lyke wyse and with lyk force and ryott dyd unlawfully assemble theme selffes to geyther at the seid parcell of grownd, called Ylkeley More, and then and their mad oon assaltt and affray of and upon oon Cristofer Grimell, seruant to the seid Francys Meryng, then beyng of the seid ground, gentyly requyryng theme to discede and leave of this their deuyllsshe, malycyous and unlawfull purpose, and sore threatened and manassed the seid Cristofer, to hurt, mayme, or wound hym, by force and fear of which assalt and manasse the seid Cristofer durst nott in eny wyse frome thensforth occupye the premyssez, as lawfull it hadd ben for hym to doo. And the seid ryotous, light, and evyll disposed persons, nott yett thus contentyd and satisfyed with their seid noughtie demeaners dyuers and soundrie tyme syns the seid xijth day of Apryll haue nott oonly mayd assaltes, ryottes, and affrayez upon the seid Cristofer and other the seruantes of the seid Francys, so that for feare of theme they durst not go abowtt the busynez of the seid Francys, your poer orator and subiect, butt allso with force and of their extort power do styll kepe and hold owtt your seid subiect and his seruantes of the seid parcell of ground, called Ylkeley More, to the greatt hurt, hyndrance, and losse of your seid subiect, and nott oonly to the greatt disquetyng of the contre therabowttes, but also to the greatt daunger and perlyous example of such lyk offenders, if some remedy and punysshment be nott therfore prouyded in this behalff. In consyderacion wherof it may please your most excellent highnez, of your abundant grace and goodnez, the premyssez consydered, to graunte furth your most gracyous

writtes of *sub pena*, to the seid John Whythed, Robert Whythed, William Shefyld, James Shefyld, Thoms Shefyld, and Cristofer Shefyld, William Shutt, Robert Wylson, James Appleyerd, Robert Wylson, and John Kendall to be dyrected, commaundyng theme, and euery of theme, by vertue of the same, personally to appere before your highnez and your moste discrett and honerable Counsell in your Gracys most high court of Sterryd Chamber, at a certeyn day, etc.

[Endorsed :] A month of Michaelmas.

The answer of Robert Whitheade is appended, says he is not guilty of the riot supposed, etc., and that the residue of the matters are determinable at Common Law. For further answer he say that one John Myddylton, esquier, was and is lawfully seasyd in his demeane as of fee of and in the sayd manere of Ylkeley and of the more, called Ylkeley More, and of dyuerse mesuages, lands, and tenementes in Wheatley, in the sayd countye of Yorke, and of and in one more, called Wheateley More, in Wheatley aforesayd. And, so beyng therof seasyd, the sayd defendaunt, as servant and by the commaundement of the said John Myddylton, about the said xth daye of Apryll inclosyd in seueraltie about the quantyte of thre acres, parcell of the said more, called Wheatley More, leavyng sufficient common of pasture in the resydue of the sayd more for suche persones as ought to have common of pasture ther, accordyng to the statute in that case made and provyded,^a whiche thre acres the sayd Myddylton euer syns the sayd inclosure haythe occupied, and yett doythe occupye, as lawfull is for hym to doo, without that that the sayd complaynant was euer seasyd of the sayd manor of Ylkeley, etc., but only as a freeholder and a commoner, etc., or that the said defendaunt dygged ony close in the sayd more of Ylkeley, conteynyng by estimacyon xiiij acres of pasture, rounde about, etc.

[Signed .] Carus. (*Ibid.*, Bundle xvii, No. 135.)

No. LXXVI.^b

To the kyng owir soueraign lord.

Pytiously compleynyng shewith unto your highnes your oratour and dayly bedman, Thomas Drax, clerke, that where

^a By 20 Henry III, c. 4, commonly called the Statute of Merton, it was enacted that lords of wastes, woods, and pastures might approve of the said wastes, woods, and pastures, notwithstanding the contradiction of their tenants, so that the tenants had sufficient pasture for their tenements with free egress and regress to the same. See also 13 Edward I, c. 46, whereby the same right was conferred on the lords as against neighbours.

^b See No. XLVII.

your said oratour is seised of and in the manour of Wodehall, in the countie of Yorke, in his demene as of fee, so it is gracious lord that the xxith day of January in the viijth yere of your most noble reign (1516-7), on John Norman, not feryng the contempt of your lawis, with xij evill disposed personz, whos names be to your oratour unknowen to hym, ryottously assembled in harneys, with force and armys, that is to say, with jackes and sallettes, bowys and arrowes, swordes and buklers, and sperys in their hondes, and other abilmentes of werr, uppon horsebake, after maner of werr, contrary to the ordre of your lawis, riottously and forcibly entred into the said maner of Wodehall, and then and ther shott arrowis at the seruantes of your said poore oratour, beyng in the pastures of the said maner, and xxij oxen and kyen of the goodes of your said power oratour, beyng att pastur in a place called Stacke yerd, within the saide maner, with them tooke and drove away; and, so contynuyng in their riottous and malycous purpose, enchased the said bestes into the towen of Wombewell, adioynyng to the said maner, and then and ther ryottously and malyciously stroke and bett down to the erthe with their speris dyuers of the enhabitauntes of the seid town, both men and women, then beyng in Goddes peace and yourz, in the high strete, wherby dyuers of the said poore enhabitauntes wer sore hurt and lay in their beddes half a yer after, and som of them be nott yett recouered therof, which is a perillous example to like offendars in tym cummyng, onles your Grace see due correccion therof be hadd. Ferthermore, gracious lord, the said John Norman, entendyng ferther vexacion and enpoverisshyng of your said poore oratour, hath subtilly sude your said poore oratour unto the exigent, and your oratour, after knowlegge therof to hym gyven, appered before the justice of your commen lawe, redy to answer to the said Norman, wheruppon the said Justices [issued] a *supersedeas* to the shrief of Yorke shire, to whom the said exigent was directed, and the said *supersedeas* was delyuered to Thomas Strey, deputye of the said shrief, which delyuered the said writt to one John Calverd, under-schrief of Yorke shier. Then the said Norman, perceyvyng that if the said *supersedeas* were alowed he shuld nott atteyn his malycious purpose ayenst your said poore oratour, that is to sey, to haue hym owtelawed, that he myght therby forfett his goodes, wherfore he, the said Norman, falslye procured and labored the said Calverd to enbesyll the said *supersedeas* and retorne an utlary ayenst your said suppliaunt, by reason wherof the said Calverd, in contempt and dilusion of

your lawys, falsely enbesilled the said writt and retorned your said oratour to be utlayde, wherby your said oratour hath hadd mervelouse vexacion and importable chargis in the reversyng of the said utlary, to his grett enpouerysshynge and in perillouse example of all like mysdoers. In consideracion wherof pleasith it your highnes, the premyssis tenderly considered, to graunt seuerall writtes of *sub pena*, to be directed to the said John Norman and John Calverd, commaundyng them and ether of them to appere before your Grace and the othir lordes of your most honorable Counsell in your Sterre Chamber at Westminster, etc. (*Ibid.*, Bundle xviii, No. 163.)

No. LXXVII.

To the kyng our souereign lord.

In most humble wyse sheweth unto your most excellent highnez your true and faithfull subiect and dayly orator, John Man of Osborne^a in the county of Yorke, yoman, that where your seid orator, the xiiijth day of September last past, beyng the feast of the Exultation of the Holly Crosse, was in Godes peace and yours att Osborne aforeseid, and myndyng ne intendyng eny hurte or preiudice unto eny of your subiectes, came one Randulphe Warde of Osborne aforeseid, gent., Robert Gatell of the same towne, husbandman, and Saunder Hochynson, late of the same place, seruyng man, by the commaundement of one John Watson, clerke, vycar of Osborne aforeseid, ryottously and with force and armys, that is to seye, with bylles, staves, clubbes, swerdes, and other defensyue and invasyue wepons, and in maner of warre arrayed, and then and there made assaute and affraye upon your seid orator, and hym sore bete, cutt, and wounded in dyuerse places of his body, at which seid affray the seid Robert Gatell pryuyly and with lyke force and armys came behynde your seid orator, and dyd gyue hym a greate strocke upon the hedde, wherby he fellyd your seid orator to the ground, and therupon the seid ryottous persons departed from your seid orator, leuyng hym ther lyeing upon the grounde as dedd, of which assaute the seid Randulphe, Robert, and Saunder were after thatt lawfully and truly indytted before your Justices of your Peace in your seid county, by reason of which unlawfull woundyng your seid orator did lye att leche craft for the helyng therof by a greate space and tyme, wherby he spent in and about the same the

^a Ouseburn.

somme of iiij *li.* and yett the same your seid orator shall neuer be in as good condycion as he was before, nott onely to the greate losse and damage of your seid orator, but also to the most perilous and evell example of all such lyke offenders if thatt condygne punyshement [etc.]. In consyderacion wherof it may please your highnez, the premissey tendrely considered, to directe unto the seid Randulphe Warde and all other the seid ryottous persons your most gracious seuerall wryttes of *sub pena*, to appere before your highnez and your most honorable Counsell in your Sterre Chamber att Westminster [etc.].

[Signed :] Whorwood.

The answer of the aforesaid Randulphe Warde and Robert Gatell states that Gatell was one of the bierlegraves^a of Osborne aforesayd, and that it hath bene used of long tyme in Osborne aforesayd that if their were any catall impounded in Osborne aforesayd that the bierlegraves their for the tyme beyng or one of them, uppon resonable consideracions, myght delyuer the catall so ympounded out of the pound, without the assent of hym that so ympoundyd them. And ferder sayn that one Robert Walker, before the seyde day of the exaltacion of the Crosse had ympounded one horse of Bryan of [sic] Bently in Osborne, whiche horse the seyde Robert Gatyll, as one of the bierlegravers of Osborne aforesayd, delyuered out of the pound to the servant of the seyde Bryan. And after that, that is to say, on the seyde feast, the compleynant sayd in effect to the seyde Robert Gatell, both them beyng in the churche yarde of Osborne aforesayd: Thowe felowe, why dyddest thowe lett Bryan Bentlys horse out of the fold? To home the seyde Gatell sayd in effecte that the seyde Bryan had bene with the seyde compleynant and with the pynder to haue forth his horse out of the pynfold, and that the compleynant wold not suffer hym to haue hym forth of the pynfold, and that the seyde Bryan had found hym suerty to make amendes for the hurtes, if any shuld be found; wherefore he lett the seyde horse out of the pynfold. And the seyde Gatell demaunded of the seyde compleynant where his hurtes was, to home the compleynant answered that he wold garre the seyde Gatell to loke where the seyde hurtes were. To home the seyde Gatell sayd that he knewe

^a Byrlawmen, or Bierlawgrayves, were officers appointed at court-leets for various local duties, as the framing and executions of byrlaws, that is, the local customs or laws of the township, looking after nuisances, administration of justice in minor matters, arbitration in agricultural disputes, etc. See *New English Dictionary*, s.v. Byrlawman, where there are quotations from the manor rolls of Ingleby Arncliffe, in which the forms birlawmen and bierlawgrayves (Latin *custodes plebisciti*) occur.

no hurtes, nor wold loke for none. And the compleynant sayd to Gatell that yf he wold come forth of the seyde church yarde that he wold garre the seyde Gatell to make amendes for the hurtes. And theruppon the seyde compleynant went out of the church yard, and sayd to the seyde Gatell: Com out, two or thre tymis, and that he wold garre the seyde Gatell to seke the fautes. To whom Gatell sayd that he wold not com out. And theruppon the seyde Randulphe sayd to the seyde compleynant in effect: John, this ys an yll fashyon of you to be after this fasshyon amonges neighbors. To home the seyde compleynant sayd in effect: And yf thowe take his part, come thowe out too. To whome the seyde Randulphe sayd in effect: No, John, I wyll take nether of your partes. I will be glad to make better and not the werre. And then the seyde compleynant sayd to the seyde Randulphe: Yf he wyll not com out, com thowe out. And then the seyde Randulphe came out of the church yarde wall, and in the commyng out the seyde compleynant strake at the seyde Randulphe with a staffe, and the seyde Randulphe with a staffe which he had in his hand dyd put away parte of the seyde stroke; howbeit it glaunsyd uppon the staffe of the seyde Randulphe, and hurt his hand. And then neybors cam bytwene the seyde compleynant and the seyde Randulphe. And after that the seyde Gatell cam out of the seyde churchyard, and supposing that the seyde compleynant wold haue stryken the seyde Gatell, he dyd strike one stroke with a playn staffe at the compleynant, and hyt hym uppon the hed, wheruppon the seyde compleynant fell unto the ground, and then the seyde Randulphe and Robert departed without any furder act to the seyde compleynant, with out that that the seyde Randulphe and Robert or any of them riotously made assaute [etc.].

The answer of Saunder Hochynson merely says he is not guilty. (*Ibid.*, Bundle xvii, No. 170.)

No. LXXVIII.

Interrogatorie for the part of William Partriche, wherof he prayeth that Henry Savyll, esquier, Robert Furneux, William Darley, Robert Wade, Thomas Melwarde, Costyn Robynson and Robert Foldes to be severally examyned.

1. Whether the seid Herry Savyll and Robert Furneux, or eny other persones in the company of the seid Herry, uppon Ester eve the xvj yere of the kyng our souerayng lorde (April 15,

1525), came into Wortley Parke, whether it were by nyght or by daye ; what number of personez came withe them ; what were ther names ; whether they hadde eny harnez, bowes, arowys, crossebowys, bylles, swordes, bucklers, or other wepons, and what wepons or harnes they hadde ; and whether they made eny assaute uppon the seid Partriche ; and what wordes they seid to hym.

2. Item, whether at the same tyme they brought theder any houndes or greehoundes, and whether they huntyd, chasyd, or coursyd the dere in the seid parke, and whate dere they kylled, and whether the seid Herry and other by his commaundement or procurement afore that tyme huntyd dyuerse tymes in the seid parke and kylled ther deere, howe many he kylled, and whether yt were by nyght or by daye that he or they at eny tyme ther huntyd.

3. Item, whether the seid Herry and other his servantes and adherentes in the monethe of July in the xvijth yere (1525) [etc., as in 1].

4. Whether the seid Herry at that tyme sett his adherentes and servantes in dyuerse partes within the parke and withoute, and wylled them to come to hym when they herd hym whystell, and whether he withe his bowe bent and an arow redy in yt came to the seid Partriche, beyng within the seid parke, and thretenyd hym, seyng : Thowe hast complayned to my lorde thy master that I huntyd here, thowe shalt dye for hit or I goo ; and whether then at his blowyng and whystelyng ther came eny personez to hym, what personez cam, to that [*sic*] number, what were theer namez, and what wepons they hadde.

5. Item, whether the seid Herry and the others in the seid monethe of July came [etc., as before], and thretenyd and assautyd the wyf of the seid Partriche in the seid parke, and what wordes they hadde to her.

6. Whether the said defendants on the Thursdaye next before Seynt Lawrens daye in the seid xvijth yere (Aug. 10, 1525), abowte xij of the cloke in the nyght, came into the seid parke [etc.], and whether they kyllyd a dowe in the seide parke, and what other deere they then kyllyd in the same parke.

7. Whether the seid Partriche and Richard Trulove found the seid Herry and his cumpany in brekyng of the seid doo, and whether the seid offenders shott at the seid Partriche and Trulove, and howe many arowys they shott, and whether oon of ther arowys chaunsyd to light uppon a bagge, whiche the same Trulove then ther hadde hangyng by his gyrdell, and whether the seid offenders, by reason of the greate scrye [*sic*]

and exclamacion of the seid Trulove by reason of the same shott, fledde for fere, and left the seid doo behynd them.

8. Item, whether the same Herry, in the fyrst weke of Clene Lent in the seid yere, came to the pale of the seid parke, what number of personez cam withe hym [etc.]. Whether the seid Herry sett them in dyuerse plumps^a and bussumentes, and agreed emonges them to make a preyn^b of blode uppon a styll in the seid parke pale to cause the seid Partriche to haue sune occasyon to drawe and cume oute of the seid parke.

9. Item, whether George Wentworthe, Sir William Dey, prest, Thomas Walleston, Herry Garlady, Robert Phillip, William More and others abovenamed uppon Whitsondaye in the xvijth yere (May 20, 1526), by the procurement of the seid Herry Savyll, came to the seid parke, what number [etc.], and whether they cutte and hewe downe of the seid parke and certen palez and raylez.

10. Item, whether the seid offenders on the same daye frome the seid parke went to the howse of oon Parlyngton at the towne of Wortley, and then and there brake open the dores of the seid howse, and toke ale and vytell; whether they caryed eny ale in banelles in to the hye strete, and made showtes and exclamacions, seyng: Come, knavez and laddes of Wortley, as many as wyll, and drynke; and whether they breeke the seid banelles of ale, wherby the same ale ran in to the hye waye and was spoyled.

11. Item, whether the seid Herry and his adherentes uppon Seynt Peters eve (June 28) in the seid xvijth yere came to the seid parke pale, and satt uppon the sawtryez^c of the seid pale, and whether they quarellyd withe the seid Partriche, seyng that they wold present his hedde to his master.

12. Whether they came on the seid daye to the seid parke at iiij of the cloke in the mornyng [etc.].

13. Whether the seid Sir William Dey, prest, Edward Bakkes, and others above-named, came to the seid parke on the following Sondaye, whether ther bowes were bend, and arowys redy nykked to them; whether they then made assaute uppon the seid Partriche, beyng keper, and uppon William Page and John Rodys, and whether the seid Dey withe a dager stracke the seid Partriche, and gaffe hym a greate wound in his body, and whether the other offenders stracke the seid Page and Rodes, and gaff them many sondry woundes in ther bodyez, wherby they were in perill of dethe.

^a Companies.

^b An impression.

^c *Saltatoria*, deer-leaps.

14. Whether the seid Herry or eny other of the seid offenders be indyted for huntynge in the seid parke. (*Ibid.*, Bundle xvii, No. 173.)


No. LXXIX.

To the king ovr soueragne lorde.

Lamentablely complaynyth unto your moste honorable Grace your poore and dayly orator, George Paslewe, that where one Joyce Kyllyngebecke and Wylliam Altam with diuerse other mysdemeaned persons, to the nombre of vij^{en}, whose names your oratour knowyth not, aboute the vjth day of Auguste laste paste, and aboute xij of the clocke yn the nygth, att Ledes yn the countie of Yorke, yn to a close of your said orators called Barcroftes, and there with force and armes rioitously, that is to say, with billes, swerdes, bowes, and arrowes, and other forcible weapens, contrarie to your Graces peace, dyd entre and take away thre loode of hay, price xxxs., and also a horse, price foure markes, of the goodes and catalles of your said orator, and also manaced and thretened diuerse of your said orator servantes, to slay them, which greate, feyrfull, and abhominable wordes made that no man durste occupy the said londes and tenementes to thuse of your said orator, contrarie to all lawfull demeanour. And furthermore your said orator hath diuerse and many tymes put yn billes of enditementes aganste the said Kyllyngebecke and Altam before Justices of Assise att Yorke, and att other enqueries, to haue hadde the same Kyllyngebecke and Altam endited according to your Graces lawes, but your said oratour cowde never haue them endited by reason of the greate mayntenance and bering of one Water Paslay,^a whiche was redy at euery enqueste awder to threten them that for fere thei dare nott doo contrarie unto his greate maneseng wordes, or elles to redeme them for sommes of money, so that the truth cowde neuer come to lyght hereyn, he is of suche greate power and befrendytt, whiche is to the utter undoyng of your said oratour, nott onely yn losyng of his goodes, but also yn occupieng of your said orators londes and tenementes, withowte any cause or tytle having thereunto, onelesse your moste gracious remedy be providitte herein. In tender consideracion wherof it may please your moste honorable Grace to directe your moste

^a The will of Walter Paslew, of Riddlesden, in the parish of Bingley, was proved in 1545. In it he speaks of his cousin, George Paslew, for whom he directed provision should be made (*Test. Ebor.*, vi, 223).

gracious writte of *sub pena* unto the said John Kylllyngbeke and Wylliam Altam, commaundyng them, and either of them, apon a certen payn and at a certen day to appere before your moste honorable in the Sterre Chamber, or your moste honorable Counsell, there to make aunswer to the premisses, etc.

 In the answer John Kylllyngbek says that the bill is untrue and the matier theryn conteyned feyned and imagyned. He saith that long time afore the said entree of the said defendaunt supposed the said pleyntif was seased of and in the said londes, mencioned in the said bille, called Barre Croft, in his demeane as of fee, in use or in possession ; and, so seased therof, enfeoffed (upon a bargayne) the said Walter Passelowe, named in the said bille, to haue and holde to hym and his heires foreuer, by force wherof the said Walter was therof seased in his demeane as of fee to his owne use ; and, so seased, long tyme afore the said entree supposed, that is to witte, aboute twoo yeres passed dymysed the premysses to the said defendaunt, to haue and holde to hym for terme of twenty yeres, yelding therfore yerely xiijs. iiij*d*. sterlinges. By force wherof the said defendaunt entred into the premysses and peasibly manured and occupied the same euersythen untill this day, and yet doith, as lafull is for hym to doo, and toke the hey and grasse growing apon the same. And for that that the said defendaunt founde an horse in the same premysses damages feysaunt, he chaced the same horse oute of his said pasture, but wheder it were the playntiffes horse or not, he knowith not. Without that that he toke any horse of the said playntif in any other maner, or that he, or any other persons with hym, euer brake or entred into the said close riottously or forcibly, or euer brake or entred into any close of the said pleyntyf riottously, forcibly, or other wyse, or toke any goodes of the said pleyntifes or euer threatned or manassed the seruantes of the said pleyntif. (*Ibid.*, Bundle xvii, No. 186.)

No. LXXX.^a

To the most reuerende father in God, Thomas, lorde legate *a latere*, cardinall archibushopp of Yorke, primate of England, and chauncellor of the same.

In most pitious wise complaynyng, shewith unto your most noble Grace your dayly poore beidman, John Waade,

^a This is not a *Star Chamber*, but a Chancery Proceeding ; but, as it is officially listed as the former, it is printed here. Cardinal Wolsey resigned the office of chancellor on Oct. 17, 1529.

sonne and heire of William Waade, broder and next heire of John Waade, late of Pomffrett, in the countie of Yorke, deceased, that where a certeyn mancion place or inne, called the Whyt Harte, with certeyn other tenementes and their appurtenances, sett and beyng in the strete called Wawme gate, within the citee of Yorke, after the dethe of the said John Waade thelder, ben discendyd and of right ought to discende^{is} unto your said orator, so it is, most gracious lord, that the said mancion place and other the premisses ben wrongfully withholden from your said orator, and so haue ben wrongfully withholden from hym by the space of xxvj yeres, by oon John Thornten of the said citie of York, marchant, notwithstanding that your said oratour hathe by a long season pursued as well to our soueraine lord the kyng as unto your noble Grace for his remedy. And your said Grace of your goodnes, for the expedicion of justice in that behalf, haue directed diuerse and sundry our souerayne lorde the kyng lettres of comission unto diuerse gentilmen of worshipp in those parties, but they haue nothyng doon, nor nothyng therin will doo, oonles they be comaundyed upon a penaltie, by the which wrongfull withholdyng and long pursute your said oratour is utterly inpouerished and not of power to sewe for his remedy by the due course of the kynges lawes against the said Thornton, beyng riche and of greate aquyntance in those parties, but is very lyke, he and all his, to be dysheyrittred for euer for lacke of helpe, oonles your noble Grace in the waye of pitie provyde the soner remydie for hym in this behalfe. In consideration wherof may it, in the waye of charitie, please your noble Grace to graunte the kynges most gracious lettres of commission to be directed unto sum indyfferent and wurshipfull men of the cuntrey there nere, and theym comaundyng by the same that they, callyng before theym as well the said John Thornton as your said oratour, and upon their examinacion of the said parties, and, after the evidences, wittenesses, and proves of the same partiez by theym seen, harde, and perfictely understand, to make a fynal ende bitwene the said parties, so that your said orator may haue and peciably enjoye his rightfull inheirance, with his lawfull costes and arrerages of the same, as shall stond with right and good conscience, and if they can not make a fynall ende therin, that then thay fayle not by a day and under a certeyn payne by your Grace to be lymytted, to certiefye your said Grace in whom of the said parties the faulte shalbe, with all the circumstance of their examinacion and doynges in the premisses, so that your Grace, of your benygne goodnes, may therin sett a finall

and righfull ende as shall accorde with good justice, thes at the reuerence of God and in the waye of charitie. And your poore besecher shall duryng hys lyf dayly pray to Almyghty God for your noble Grace in felicite long to prosper and endure.

[Endorsed :] Commission issued on account of the within written to Masters Bryan Higdon, dean of the metropolitan church of York, and Thomas Dalby, archdeacon of Richmond,^a and Sir William Percy, knight, or two of them, to hear, examine and finally determine (after summoning the parties) something to be certified to the king's council, wheresoever, in the Quinzaine of Easter, etc. By command of the Lord Chancellor.

[Signed] Burbanke.

The answer of John Thorndon,^b merchant, is appended, declaring the matters contained in the bill are untrue and maliciously contrived. For answer he says that Richard Thorndon, his fader, whose heire he is, brought a writt of entre

^a Brian Higden, dean of York, June 21, 1516, till June 5, 1539, and Thomas Dalby, archdeacon of Richmond, Aug. 24, 1506, till Jan. 26, 1525-6.

^b The following is an abstract of the pious and charitable bequests in the will of a prosperous York merchant:—

Aug. 10, 1529. John Thorndon, of the cite of Yorke, marchaunte, of the parish of Sancte John the apostell and euaungelist at Vse brig. First I bequeath and gif my sall to Almighty God, my creatour and redemar, to his blissyd moder and pure virgyn, our Ladie Sancte Marie, and to all the celestially company of hevyn; and my bodie to be beriede within my parishe church of Sancte John aforsaid soo nye vnto my fader as maye be conueniently. And for my beriall theire I bequeath vjs. viij*d*.; and to the church warkes theire iijs. iiij*d*. And to my mortuary my best garment accordding to the costome of the cite. To the hie altar for forgettyn tithes and oblacions vjs. viij*d*. To my curate iijs. iiij*d*. Vnto the maister of Corpus Christi gilde xij*d*., and to euery of the vj kepars viij*d*.; and if they bere me to the church, then euery on of them to haue xij*d*. Also I bequeath that euery preist beyng present at messe and dirige to haue iiij*d*. Item I bequeath xs. for a trentall of messes to be don the day of my beriall. To euery place of the foure orders of Freres within the cite of Yorke vjs. viij*d*., to go before me to the church and to say among them a trentall of messes for my sall and all Cristen salles. Item I bequeath x*li*. wax in fyve serges to burne aboute my bodie the day of my beriall. Item I bequeath xij torches to be borne afore me to the church the daye of my beriall, and to xij poore men that berithe the said torches, to euery of them, a whit gowne with a blake hode, his dynner, and iiij*d*. To the viij men that berith me to the church, to euery of them, viij*d*.; if so be that the kepars of the gilde of Corpus Christi do not bere me as is aforsaid. Item to euery Massendewe within the cite and the suburbs of the same vj*d*., and euery lacer howse vj*d*. Item I bequeath x marces to be distributed in peny doile or half penny doille of my vtas day to poore folkes. Item I bequeath ix*li*. vjs. viij*d*. to on honeste prest of good name and fame to syng in my said parishe church for my sall, the salles of my parentes, frendes, benefactors and al Cristen salles, imediatly after my decesse, during the spacie of too yeres then next imediatly foloing, and to say weekly of requiem Monday, Weddensday, and Friday, excepte lefull causes, and the other dayes as shall be lefull and conuenient. To Sancte Peter warkes xxx*d*. Mentions his brother, Thomas Thorndon, and Sibill, his daughter, sister Whit's children, John

att the commen laye *super disseisinam in le post* ageynst the forseid John Wade, nowe compleynant, of the seid mancion place or inne, and of certeyn other mesuages within the city of York, affore Thomas Frowyk, knight, and his fellos, Justices of the Commen Place, the terme of Seynt Mighell in the xx^{ti} yere of the reigne of kyng Henry the vijth, late kyng of England (1504), and fader to our lorde kyng yt nowe is, *in hec verba*. §^a Ricardus Thorneton, civis et aldermannus ciuitatis Ebor., per Thomam Strey, attornatum suum, petit versus Johannem Wade quinque mesuagia cum pertinentiis in ciuitate Ebor., ut jus et hereditatem suam, et in que idem Johannes non habet ingressum nisi post disseisinam quam Henricus Hunt inde injuste et sine iudicio fecit prefato Ricardo post primam transfretationem domini Henrici regis filii regis Johannis in Vasconiam, etc. Et unde dicit quod ipsemet fuit seisisus de mesuagiis predictis cum pertinentiis in dominico suo ut de feodo et jure tempore pacis tempore domini regis nunc, capiendo inde explesias ad valenciam, etc. Et in que, etc. Et inde producit sectam, etc. Et predictus Johannes Wade per Georgium Emerson, attornatum suum, venit et defendit jus suum, quando, etc. Et vocauit inde ad warrantiam Thomam Fysshe, qui presens est hic in curia in propria persona, et gratis mesuagia predicta cum pertinentiis ei warrantizauit, etc. Et super hoc predictus Ricardus Thorneton petit versus ipsum Thomam Fysshe, tenentem per warrantiam suam, mesuagia predicta [etc.], [qui] dicit quod predictus Henricus Hunt non disseisiuit prefatum Ricardum de mesuagiis predictis, [etc.]. Et de hoc ponit se super patriam, etc. Et predictus Ricardus petit licenciam inde interloquendi. Et habet, etc. Et postea idem Ricardus revenit hic in curia isto eodem termino per attornatum suum predictum. Et predictus Thomas Fysshe, licet solempniter exactus, non revenit, sed in contemptu curie recessit et defaltam fecit. Ideo consideratum est quod predictus Ricardus recuperet seisinam suam versus prefatum Johannem Wade de mesuagis predictis cum pertinentiis, etc. Et quod idem Johannes habeat de terra predicti Thome Fysshe

Thornton the younger, Richard Thornton the younger, Elene Thornton, wife Agnes, son Richard, son John. Executors, wife, sons Richard and John, and Bartholomew Yorke. Supervisors, his brother-in-law, William Harryngton, and James of Blades. Witnesses, Sir John Stevynson, my curate, Sir John Stapleton, prest, Cristofer Clerke, and James Skipton. July 9, 1530. Proved by Agnes, the relict, Sir John Thornton, priest, vicar of Ledes, and Bartholomew Yorke, power reserved to Richard, the son and heir (*Reg. Test.*, ix, 464).

^a A common recovery.

ad valenciam, etc.” By vertue of the whiche recouere the seid Richard Thorneton was put in peceable possession of and in the forseid mancion place or inne, callyd the White Hert, and other the premissez, by the kinges writte *de habere faciatis seisinam* then direct to the shiriffes of the seid city of York. And the seid compleynant afterwarde, yt is to say, primo die mensis Decembris, A.D. 1504, by his dede of relees, here redy to be showed unto your lordeshipe and mastershippe, released and quyte clamed unto the seid Richard Thorneton, his heires, and assignes, all right which he hadde of and in the forseid mancion place, etc., by force wherof the seid Richard Thorneton was therof seasyd in his demeane as of fee ; after whose dethe the same immediately discended unto the forseid John Thorneton, as sone and heire of the forseid Richard, and hath bene therof peceably seasyd [etc.].

[Signed :] Brian Higdon, dean of York.

T. Dalby

Wylliam Percy.

(*Ibid.*, Bundle xvii, No. 200.)

No. LXXXI.

To the kyng our souereygn lorde.

In moste humble wyse shewyth and complaynyth unto your hyghnes your trew and feythfull subject, Thomas Lutten^a of Knapton, in your countie of York, sone and heyer of Wylliam Lutten, late of Knapton, deceasyd, that where the seid Wylliam Lutton was seasyd of and in the manner of Knapton and West Lutton wyth thappurtenances, and of and in certen londes and tenementes in Est Lutton, Mekyl-Dersfelde, Barton, Langton, Relyngton, Sprotley, Cattfosse, and Flaynbrugh, in the said countie of York, in hys demeane as of fee, and, so beyng therof seasyd, had issue one Stephyn, his sone and heyer apparaunt, and your seid subgett beyng seconde sone. The whych Stephyn had issue one Elizabeth, whych Elizabeth, at the age of xiiij yeres and more, enteryd in to relygyon and was vaylyd in the habyte of a none of the Order of Seynt Benet in the pryore of Yeddyngham, within your seid countie of Yorke,

^a Apparently the person who heads the pedigree of the Luttons of Knapton, in the *Visitation of Yorkshire* in 1584, p. 172. Thomas Lutton, esq., and Alice, his wife, were plaintiffs in a fine about the manor of Weaverthorpe and lands there, and in Sledmere and Birdsall in 1524, and 1528 they and John Flemmyng and Agnes, his wife, were deforciantes in another fine about property in Wakefield (*Yorkshire Fines* (Tudor), 42, 51).

and there was professyd in the seid Order under the obedyence of one dame Johan Cunstable,^a then pryores of the said monesterye; and, so beyng professyd, contynued in relygyon in the habyte of a none in the seid hous the space of xviiij yeres, withoute any knowlege to the contrarye. Whych tyme the seid Stephyn, father of your said Elizabeth, dyed withoute other issue. After whose deth the seid Wylliam, the father, in consyderacyon of maryage to be had betwen your seid subgect and one Alyce Claruyce wyddow, dyd enffeooffe one Robert Chalmer, Wylliam Northorpp, Thomas Lee and other, of and in the londes and tenementes aforeseid amongst other londes, to haue to theym and to theyre heyers for euer, to thuse of the seid Wylliam for terme of hys lyffe, and after hys deceas to thuse of your seid subgect and of hys heyers for euer; by force whereof they were seasyd of and in the premysses to thuse aforeseid. And after the seid Wylliam Lutton dyed, after whose deth your seid subgect, as sone and heyer of the seid Wylliam, by commandement of the feoffez entryd in to all the premysses, and thereof toke the issuez and profyttes, and so was thereof peasably seasyd as very heyer and owner of the premysses by vertue of the feoffement aforeseid, unto of late that your seid subgect was there of wrongfully by force expellyd and put owt of possessyon by one Sir Robert Constable, knyght, the whych of hys extort powre and myght, withoute any just title or color, hathe not onely entryd in to the premysses and dyschardyd and manacyd the tenauntes and occupyers of the premysses, but also hathe takyn uppon hym to lett and sett the seid landes and tenementes of your seid subgect within Flaynburgh to ferme to Symon Foster and Cristoffer Lekeby, as though yt were hys own landes and tenementes, contrary to all ryght and consyence; whych Symon and Cristofer have entryd in to the same landes and wrongfully occupyeth the same. And where as of late your hyghnes dyrectyd your honorable commysyon under your great seall unto one Rauffe Pullayne esquyer and other, to enquire for your ryght after the deth of one Wylliam Bukton esquyer, deceasyd, by vertue of which commysyon your seid subgect and dyuers other were impanellyd by your sheryffe of your seid countie of York, to apere afore your seid commyssoners at a certen day, at the whych day your seid subgect with other, to the nnumber of xiiij, at York, in the xxiiij yere of your moste noble reyn (1531-2), then and there beyng sworne before the seid commyssoners by theyr othes,

^a There is no prioress of this name in the list in *Monastic Notes*, p. 229. Joan Tunstall was confirmed in 1507.

uppon suche substancyall recordes and evydences as was there shewyd for your hyghnes, it was founde clerely that the seid William Bukton dyd hold of your hyghnes, as by the offyce then and there founde more playnly wyll appere. After which offyce so founde the seid Sir Robert Constable shewed unto your seid subject that for as much as your seid subject dyd hold landes and tenementes in Flaynbrugh of hym as of his manner of Flaynebrugh, and had founde the seid offyce for your Grace, he had thereby intytled your hyghnes to parcell of hys enherytaunce, and that he sholde doo your seid subject, yf it lay in hys poure, a dyspleasure, for entytlyng your Grace to certen londes comprisyd in the seid offyce. Whereuppon, moste gracyous lorde, he hathe not onely manasyd your seid subject for dowying your hyghnes trew seruyce according to your laws, and also hathe entryd into certen londes and tenementes of your seid subject in Lutton and Flaynbrugh aforeseid, and wrongfully dyschargyd your seid subject and hys seid tenants and occupied of the seid londes, contrary to your laws, equyte, and conscyence, but he hathe also sent dyuers of hys servantes to the seid monesterye of Yeddingham with ane Thomas Scaseby, and there laboryd and procuryd the seid Elizabeth Lutton, beyng a none professyd, to deperte oute of the seid monasterye and to forsake hyr relygyon, and thereuppon conveyd hyr oute of the seid hous. And the seid Thomas Scaseby, as he reportyth, hathe maryed hyr, contrary to the laws of God and Holly Church, and to the detestable and pernycious example of all other such lyke offenders, and to ye ruyn and decay of holly relygyon. In tender consyderacyon whereof, for as much as the seid Sir Robert Constable is of great poure and myght, and your seid subject not able to sew for hys ryght by the cours of your commen laws, yt may therefore pleas your hyghnes to graunt seuerall wryttes of *sub pena*, to be dyrectyd to the seid Sir Robert Constable, Symon Foster, and Cristoffer Lekeby, comaundyng them not onely to avoyde the possession of the premysses and suffer your seid subject peasably to occupye the same, but also to appere before your hyghnes and your moste honorable Councell in your Ster Chamber at Westminster, [etc.].

[Signed :] J. Hynde.

(*Ibid.*, Bundle xvii, No. 239.)

No. LXXXII.

The replicacion of Sir Richerd Tempest, knight, to
thanswere of Sir Henry Savell, knight.^a

The said Richerd Tempest sayth that as unto the furst
artacle of the extreme wrongis down by the said defendant, that
the defendant hath not therunto maid sufficient aunswere, for
the playntif sayth that it is therin allegged how that tyme out
of mynd the kyngis highnes and his most noble progenitors,
kinges of Ingland, have been immediat lord of the towns and
lordships of Staynfell, Barysland,^b Staynland, Northland, and
Owynden,^c as parcell of his lordshipe of Wakefeld, and that the
said defendant should by his manyfold injures, wrongis, and
trobles compell the kinges tenentes of his said maner by com-
pulsion and coearcion to attorn and become his tenantz, and
to pay him certayn rentz and do to him services, the wich of
right they aught to doo and pay to our said lord the king,
and not to the said defendant. And that as to the said town
and lordship of Staynfell and Northland the said defendant
haith maid non answer, but in effect fully confessed his said
wrongis ther down to our said lord the king contrary his dewtie
and allegiance, wherin the said playntif prayeth the award
of this honorable court for thaduintaig of the kingis highnes.
And as unto the rest of all the seid furst artacle, the playntif
saith as befor he haith said in the same artacle, because in
troth the tenantz holdeth ther tenementes immediatly of the
king as of his said maner of Wakfeld, and yerly payeth to his
highnes ther accostomed rentis and servicez for the same,
without that the said defendant is mesne lord betwix the said
tenantz and the king of the said townz and lordship of Brakis-
land, Staynland, and Owynden, or that the tenants of the said
maner holdeth fre ther tenementes within the said maner and
lordships of the said defendant, and he immediatly of the king
as of his said maner of Wakfeld, or that the auncestors of the
said defendant have been seased tyme out of mynd of the said
servicz and rentz by the handis of the said tenantes, or have
had releffes, wardis, mariagis, herriotes, or other maner of ser-
uicz of the said fre tenantes within the said lordships, wherof

^a Sir Henry Savile, K.B., son of Sir John Savile, of Thornhill and Tankers-
ley. He married Elizabeth, daughter and coheir of Thomas Soothill, of Soot-
hill.

^b *Written later* Brakisland.

^c Stansfield, Barkisland, Stainland, Norland, and Ovenden, all in the
ancient parish of Halifax.

the kinges highnes hath been aunswered and payd by the handis of the said tenantes of his highnes holdyn and mencioned in the said artacle, or that of right the said defendant ought to haue kept any court ther, or aught to compell any the same tenantes to suyt his said courtes for such landis mencioned within the said artacle or holdin of his said highnes, or that any person aught to have the said suytes and seruicez but only our lord the kinge, as in the said aunswer falssly and untrewly it is allegied, and without that that any lawfull feoffment wer maid to the said Thomas, duke of Northfolke, and other, of the said manerz, or that they were lawfully seised of the same to thuse of the said Johen Sauell, knight, the father, or that at the request of the said Johen any such estait wais maid to the said Sir William and the said Elizabeth, mother to the said defendant, for terme of hyr lyfe, the remaynder to the hierz of the body of the said Johen. And for so much as the defendant haith confessed in his said aunswer that he holdith the said townships immediatly upon the king, and that alienacionz therof is maid without the kinges licensse, the playntif saith that the defendant may aunswere to the king for his fyne and intrusion of the same lordshipz, without that that the kinge was euer of the said rentes by the handis of any the said tenantes of the said lordshipe in the name and for the said defendant any otherwise then for such his dememe landes that the defendant holdith of the king within the said lordshipz, as in the said aunswere untrewlie and falsly is alleged.

And as unto the secund artacle and aunswere the playntif saith, as befor he haith said, that the defendant haith dyuers tymes takyn fourth of diuersse of the kingis courtis diuersse and sindre playntes and suytes as well ayenst the said tenantes of the kinge of the said townships as ayenst the kinges tenantes of Holmysforth, parcel of the said lordship of Wakfeld, by reason wherof the said tenantes have been put to such great chargis that they be not abill to pay the kinge his rentes and services due to his highnesse. Also that the defendant wrongfully haith inclosed diuersse parcels of the same more and the same hath layd to his own ground adyoyning the same.

As to the third artacle the playntif sayth that the said Nicolas Ellestons was lawfully inditted of the said murder, and that the playntif, being Justice of the peax, directed his said warrant to the said officer and to other adyoyning the said town of Elland, where the said Nicolas was at bord, and wher the defendant was immediat lord, and that the felon was felonously rescued by the said Johen Savell, being officer and servant

to the said defendant, and that the said Johen raised the most part of the inhabitantes of the said towne, and maid the said riotous rescew ayenst the kinges officer, and then put the kinges officer in great jeperdy of his lyf, by reason of which rescew the said felon escaped, and was kept at bord at the towne of Derton,^a in Thomas Beamonts hous, and the defendant sent him every fourtynygh 5s. sterling to relefe him and to pay for his chargis and bord, during which tyme many felonies was comitted and down in those partes, when the said Elleston was ther abyding, wich maters and feloniez was stopped and agreyd for with partes so robbyd by the said defendant, as in the compleynt trewly it is allegied.

And as unto the fourth artacle the said defendant [*sic*] sayth as befor he hath said that it was in within the said countie of Yorke that the said Johen Thewlace had coinyd and mayd fals mony, and for the same was put in prison in Yorke Castell, and that by the unlawfull labor and crafty measnes of the said Thomas Beamont and the said defendant the said felon was saved from deth and of the same, for the wich the said felon gaf to the said defendant the most parte of all his goodes, as it shalbe trewly proued.

And as to the fyft artacle the playntif sayth, as befor he hath sayd, and that the said Gilbert Hanson, his under balif under the kinges highnes, was shamfully, wilfully and habominablie slayn and muredred by diuersse tenantes and servantes of the said defendant hous at Hallyfax, and that no punysment was for the said habomynable murder, nor yet is, by reason of the said agreement, wich morder was mayn born by the said defendant, and that parte of the said shamefull murderers yet is in seruice with the said defendant, who is guilty in all maters obiected ayenst him conteyned in the sayd artacles.

The rejoinder of Sir Harry Savell, knight. He says that there is in the first artycle no mo [*sic*] lordshippes, manorz, or townes, then three, viz., the townes and manorz of Barysland, Staynland and Quyndyn [*sic*], to the which the said Sir Harry hath made hym a suffycyent tytle, as by his sayd aunswere more playnly apperyth. The lordshippes and townes of Staynsell and Northeland be not namyd in the said fyrst artycle, wherfore he colde not make therunto any aunswere. And forby cause the said Sir Rychard Tempest sethe and persauyeth that the sayd Sir Harry hath playnely aunsweryd all the artycles that be put agaynst hym, therefore he hath newly brought

^a Darton.

in his sayd replicacion the sayd twoo newe townes, called Staynfeld and Northland, wherby it apperyth evident and playne that all the sayd Sir Rychard dothe agaynst the sayd Sir Harry is only of malyce and evyll wyll. Notwythstondyng he sayth that the sayd twoo lordshippes of Staynfeld and Northland amonges other lordshippes and manorz be the olde inherytaunce of the auncytorz of the sayd Sir Harry, and that he is just and true owner of the same, and hath lyke ryght and interest to the same in all poyntes as he hath unto the other three townes namyd in the sayd fyrst artycle, and that he is mene lorde therof betwext the kinges highnes and the sayd tenants which hold of the same, and that those persons which the sayd Sir Richard namyth to be the kinges tenants, thay be tenants to the sayd Sir Harry, and hold ther landes amonges others, as well of the sayd townes and lordshippes namyd of Staynland and Northland, as of the sayd three townes namyd in the sayd fyrst artycle, by yerely rentes, customes and seruyces, by the handes of whiche tenants the sayd Sir Harry and his auncytorz, and all other whose estate the sayd Sir Harry now hath in the premysses, haue been tyme out of remembrance of man and furder lawfully seased withall, without that that [etc.]; and without that that the said John Savell is servant or officer to the said deffendant. And if any suche reskewe or misbehavior was donne by the said John Savell, as is surmytted in the said replicacion, the said deffendant hath nothing to doo therewith, but prayeth that the said John Savell may be punysshed therefore. And without that that the said deffendant sent to the said Nycholas Ellestons euery fortenyght 5s., or that there was any agrement made by the said Thomas Beaumont by the consent of the said deffendant, or that the said John Thewelace was savyd by any labor or meanes of the said deffendant. (*Ibid.*, Bundle xvii, No. 256.)

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